

First Special & Organizational Meeting
January 2, 2024

The First Special and Organizational Meeting of 2024 was called to order by the Legislative Clerk at 9:01 a.m.

The following County Legislators were present:

DISTRICT 1
Ronald C. Ciotoli

DISTRICT 5
Dennis M. Mullen

DISTRICT 2
Martha C. Sauerbrey

DISTRICT 6
Dale N. Weston

DISTRICT 3
Barbara Roberts

DISTRICT 7
Keith Flesher
William H. Standinger III

DISTRICT 4
W. Jake Brown
S. Tracy Monell

There were 9 people in attendance.

Legislative Clerk Haskell spoke. "Good morning and Happy New Year. Welcome to the First Special and Organizational Meeting of the Tioga County Legislature for 2024."

The Clerk asked Legislator Standinger to have a moment of Prayer. "Lord, we ask for guidance this year as we conduct the business of the citizens of the County of Tioga. We pray that the world gets to be a better place this year and that some of the strife is ended."

Legislator Standinger led all Legislators and those in attendance in the Pledge of Allegiance.

The Clerk welcomed and congratulated our newly elected and appointed officials for 2024: Legislator Flesher, District 7, for a one-year term; County Sheriff Howard for a four-year term; County Clerk Klett for a four-year term; County Coroner Kline for a four-year term, County Coroner Williams for a four-year term; and Public Defender Cline serving the balance of an unexpired four-year term through December 31, 2025.

County Clerk Klett swore in Legislator Flesher, District 7, for his new one-year term of office.

The Clerk acknowledged that the other elected officials made previous arrangements with County Clerk Klett and have been sworn-in for their newly elected and appointed terms.

The Clerk announced the first order of business for the Legislature was the election of Chair of the Legislature for 2024 for a one-year term. Legislator Ciotoli nominated Legislator Sauerbrey, seconded by Legislator Monell. With no other nominations, Legislator Monell moved to close the nominations, seconded by Legislator Ciotoli. On roll call vote, all members voted Aye, the Clerk cast one ballot, and Legislator Sauerbrey was appointed Chair of the Tioga County Legislature for a one-year term for 2024.

County Clerk Klett swore in Legislator Sauerbrey as Chair of the Tioga County Legislature for 2024.

Legislative Chair Sauerbrey spoke. "I would like to thank the Legislature for your support and say that we have an engaged and strong Legislature and that is critical to running an effective and strong government. I know that working together we can get a lot of the good work done that needs to be done.

"I look forward to a couple of things happening this year. One is the completion of our Interoperable Radio Communications Project and I look forward to seeing those towers installed and having a communications system that improves the emergency systems across the county. I also look forward to stabilizing our workforce by filling vacancies, training our staff, and getting full employment up and running. Lastly, I would hope that other counties across the State would rally to fight to retain our Home Rule rights regarding our elections. The Governor recently signed legislation regarding our Legislative elections that violates our Constitutional protected Home Rule Authority powers by preempting county charters, local laws, local referendums, and forcing short-term changes to the term of an elected official. This is not right, and I hope that we can rally around to save the integrity of local government. Thank you again for your support and it looks like it is going to be a busy year."

Legislative Chair Sauerbrey presided over the remainder of the meeting.

The Legislative Chair announced the next order of business is the nomination for Deputy Chair for a one-year term. Legislator Ciotoli nominated Legislator Monell, seconded by Legislator Brown. With no other nominations, Legislator Roberts moved to close the nominations, seconded by Legislator

Flesher. On roll call vote, all members voted Aye, the Legislative Chair cast one ballot, and Legislator Monell was appointed Deputy Chair of the Tioga County Legislature for a one-year term for 2024.

County Clerk Klett swore in Legislator Monell as Deputy Chair of the Tioga County Legislature for 2024.

The Legislative Chair called for nominations for Public Information Officer. Legislator Ciotoli nominated Legislative Chair Sauerbrey, seconded by Legislator Monell. With no other nominations, Legislator Monell moved to close the nominations, seconded by Legislator Brown. On roll call vote, all Legislators voted for Legislative Chair Sauerbrey to serve as Public Information Officer, the Chair cast one ballot, and Legislative Chair Sauerbrey was appointed Public Information Officer for a one-year term for 2024.

The Legislative Chair called for nominations for Republican Majority Leader. Legislator Mullen nominated Legislator Standing, seconded by Legislator Monell. With no other nominations, Legislator Roberts moved to close the nominations, seconded by Legislator Ciotoli. On roll call vote, all Legislators voted for Legislator Standing to serve as Republican Majority Leader, the Chair cast one ballot, and Legislator Standing was appointed Republican Majority Leader for a one-year term for 2024.

Chair Sauerbrey asked if there were any disclosures to be made.

Legislator Standing stated, "I have no disclosures."

Legislator Weston stated, "I have no disclosures."

Legislator Brown stated, "My only disclosure is that I work at Lockheed Martin."

Legislator Ciotoli stated, "I have no disclosures."

Legislator Flesher stated, "I have no disclosures."

Legislator Monell stated, "I have no disclosures."

Legislator Sauerbrey stated, "I have no disclosures."

Legislator Mullen stated, "I have no disclosures."

Legislator Roberts stated, "I have no disclosures."

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 1-24 *TRIPS AUTHORIZED*

RESOLVED: That the Chair and the Clerk of the County Legislature, the County Attorney, and County Legislators be, and they hereby are, authorized to make such trips as their duties may require and that their actual and necessary expenses for travel, meals and lodging incurred on such trips be a County charge.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 2-24 *DESIGNATION OF OFFICIAL DEPOSITORIES*

RESOLVED: That, pursuant to the powers vested in this Legislature by Section 212 of the County Law, as amended, the following Banks within New York State be, and they hereby are designated as depositories for the deposit of all monies received by the County Treasurer, to an amount not to exceed the sum set opposite the name of each Bank as follows:

JP Morgan Chase Bank	\$35,000,000
Chemung Canal Trust Company	\$35,000,000
Community Bank, N.A.	\$35,000,000
M&T Bank	\$35,000,000
Tioga State Bank	\$35,000,000
National Bank and Trust Company, N.A.	\$35,000,000
M&T Securities, Inc.	\$35,000,000

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 3-24 *DESIGNATE OFFICIAL NEWSPAPERS*

RESOLVED: That the Tioga County Courier and the Morning Times are hereby designated official newspapers for the publication of all local laws, notices and other matters required by law to be published pursuant to County Law §214, Subd. 2; and be it further

RESOLVED: That the Press and Sun Bulletin, a daily newspaper, is hereby designated as the official newspaper for purposes of publishing all local laws, notices and other matters required by law to be published at such times that there is insufficient time to publish in the above two newspapers.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 4-24 *DESIGNATION OF NEWSPAPER FOR
REPUBLICAN PARTY*

RESOLVED: That the Morning Times is hereby designated as the newspaper published in the County of Tioga for the Republican Party to publish the Election

notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 5-24 *DESIGNATION OF NEWSPAPER FOR
DEMOCRATIC PARTY*

RESOLVED: That the Tioga County Courier is hereby designated as the newspaper published in the County of Tioga for the Democratic Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 6-24 *SET SALARY OF CHAIR*

RESOLVED: That the salary of the Chair of the Tioga County Legislature be set at \$54,601.25 per year, which includes the salary received as County Legislator of \$12,941.28 and an additional \$41,659.97 to serve as Chair.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 7-24 *FIX DATES AND TIMES OF
TIOGA COUNTY LEGISLATIVE MEETINGS*

RESOLVED: That the Tioga County Legislature during 2024 shall meet regularly in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York at 12:00 P.M. on the Tuesday following Legislative Standing Committees which are held during the first full work week of the month.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 8-24 *ANNUAL REVIEW OF PROCUREMENT POLICY*

WHEREAS: General Municipal Law §104-b requires an annual review of Tioga County's procurement policy and procedures; therefore be it

RESOLVED: That the Tioga County Legislature affirms its annual review of its Procurement Policy.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 9:13 a.m.

First Regular Meeting
January 9, 2024

The First Regular Meeting of 2024 was held on January 9, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger were present with Legislator Weston being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we are thankful we live in a free country governed by a constitution. We ask for your guidance as we conduct the business of the citizens of the County."

Legislator Standinger led all Legislators and those in attendance in the Pledge of Allegiance.

There were 15 people in attendance.

Chair Sauerbrey asked for a Moment of Silence for Peyton Shaw, 2024 Waverly High School Senior who passed away unexpectedly on December 12, 2023 as a result of an automobile accident. Peyton is the daughter of David and Sarah Shaw and David Shaw is one of the Waverly Central School District Assistant Football Coaches.

Chair Sauerbrey reported we have four Proclamations: **Recognizing the 2023 Waverly Central High School Football Team** that will be read and presented by Legislator Mullen; **Recognizing the 2023 Tioga Central High School Football Team** that will be read and presented by Legislator Monell; **Recognizing Coach Nick Aiello, Tioga Central High School, on Being Selected as the 2023 Lou Rettino High School Coach of the Year** that will be read and presented by Chair Sauerbrey to Coach Nick Aiello; and **Human Trafficking Awareness Month** that will be noted in the minutes.

Legislator Mullen spoke. "Before I read the proclamation, I want to thank Superintendent Knolles, the Waverly Football Team, the coaching staff, and say a few words about a community that I was absolutely blown away with over the last month. One weekend the whole town was just elated over finally winning a State Championship even though we have come close a few times and subsequently the tragic loss of Peyton. Rarely in my life have I seen a community come together like that. It was one of the most heart-wrenching times I have seen a community go through, but it also gave me tremendous hope because I have rarely seen the outpouring of love that was put forth for not only the Shaw family, but the entire community. I teach at Athens High School, along with Peyton's sister, and the other local schools had a 'Waverly Red Out' at their next home sporting event and there

was a sea of red at both the Athens and Sayre High School basketball games. The entire community came out and what the school district did for the Shaw family makes me proud to be a person who lives in Waverly, NY.

“A few heart attacks there boys during the game. It was close a couple of times, but you pulled it off. It has been a long time coming. I remember when Jason became Head Coach and I had a conversation with him and David, Peyton’s father, who was my son, Shawn’s, school aide. That is how David became involved in the football program as an assistant coach, as he was hired as a 1:1 aide for my autistic son. So, there is a deep connection there.

“I remember when Peyton’s father was the starting quarterback for Waverly. They had some good teams every once in a while, but both the Waverly and Tioga Schools have built a heck of a program. I can tell you there was a lot of screaming and cheering that day and I appreciate what you have done for the community on a personal note.”

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

~~Recognizing the 2023 Waverly Central High School Football Team ~~

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Waverly Central High School Football team made school history with their first-ever New York State Public High School Athletic Association Class C State Championship; and

WHEREAS: The Waverly Wolverines finished their 2023 season with an impressive 13-1 record; and

WHEREAS: The team’s hard work, dedication, sportsmanship, and overall talent displayed during the 2023 regular season brought them to a victorious finish at the State Championship game on Saturday, December 2, 2023 at the JMA Wireless Dome, Syracuse, NY under the leadership of Head Coach Jason Miller and Assistant Coaches David Shaw, Derek Bowman, Peyton Miller,

Jeff Mastrantuono, Josh Mastrantuono, Andrew Yeckinevich, Chad Rylott, Pete Girolamo, Trevor Bauman, and Joe Tomasso; and

WHEREAS: This first-ever championship win was the end of the high school careers for nine (9) seniors; and

WHEREAS: The Waverly Central High School Football team has brought great honor, not only to themselves, but to their school, their families, and their community; and

WHEREAS: The Tioga County Legislature proudly congratulates and applauds the accomplishments of the Waverly Central High School Football team on their first-ever State Championship defeating Fonda-Fultonville 46-26; and

WHEREAS: The following members of the 2023 Waverly Central School High School Football team are very much deserving of recognition for their successful record:

Hogan Shaw	Carter George	Ben Shaw
Drayton Dekay	Ronin Ault	Joey Tomasso
Dalton Davis	Xavier Watson	Kolsen Keathley
Payton Fravel	Seth Noto	Chase Wheeler
Jay Pipher	Jace Fravel	Bryce Laforest
Ethan Perry	Braeden Nichols	Justin Koenig
Nate Peters	Josh Silva	Matthias Welles
Tim George	Derek Johnson	Ryan Shepard
JT Williams	Jarren Ennis	Daniel Fischer
Jacob Benjamin	Carson Rockwell	Jace Peters
Hayden Bill	Kayne McCutcheon	Aiden Strobe
Troy Beeman	Kam Hills	Roger Webster
Jake VanHouten	Jack Cheresnowsky	Tristan Campbell

And

WHEREAS: The Tioga County Legislature congratulates the team and coaches on their first-ever State Championship, and extends our best wishes to the departing nine (9) seniors who successfully finished their high school football careers as State Champions; therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Waverly Central High School Football Team for their successful season and tremendous achievement in winning their first-ever Class C State Championship in the school's history. Go Wolverines!!!

Legislator Mullen spoke. "Congratulations guys, coaches. You made us proud. I live on Elm Street, the same street that the stadium is on, and my son used to go to all the games, especially when David was his 1:1 aide. He has had a little bit of a hard time lately, but he would sit out in his cabana and listen to the games."

Legislator Monell spoke. "I do not have a speech prepared like Dennis, so I am just going to go ahead and read this proclamation."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

~~Recognizing the 2023 Tioga Central High School Football Team~~

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: In 2015, the Tioga Central High School Football team won their first Class D State Championship; and

WHEREAS: In 2021, 2022, and 2023, the Tioga Central High School Football team finished with a 40-0 record and hailed as three-time State Champions; and

WHEREAS: The Tioga Central Tigers finished their 2023 season undefeated with a 14-0 record; and

WHEREAS: The team's hard work, dedication, sportsmanship, and overall talent was exhibited during the 2023 regular season and the State Championship game on Saturday, December 2, 2023 at the JMA Wireless Dome, Syracuse, NY earning them their fourth New York State Public High School Athletic Association Class D State Championship and the record of three consecutive State championships in 2021, 2022, and 2023 under the leadership of Head Coach Nick Aiello and Assistant Coaches Adam MaCauley, Jordan Hathaway, Jason Bellis, and Tyler Spires; and

WHEREAS: There were many standouts during the championship game with six different players scoring, all of whom are seniors playing their final game of high school football; and

WHEREAS: The Tioga Central High School Football team has brought great honor, not only to themselves, but to their school, their families, and their community; and

WHEREAS: The Tioga County Legislature proudly congratulates and applauds the accomplishments of the Tioga Central High School Football team on defeating Stillwater 63-14 and becoming the reigning State Champions for the third consecutive year; and

WHEREAS: The following members of the 2023 Tioga Central School High School Football team are very much deserving of recognition for their successful record:

Jayden Duncanson	Shea Bailey	Ben Leary
Drew Macumber	Evan Sickler	Gavin Fisher
Jackson Bombard	Valentino Rossi	Caden Bellis
Logan Bellis	Jonah Lamb	Trysten Barto
Gavin Albrecht	Allen Winans	Lukas Nichols
Declan McKee	Brennan Sindoni	Gianni Silvestri
Ousmane Duncanson	Gage Hopkins	Shane Platukis
Connor Streeter	Owen Parker	Hunter Fethers
Levi Bellis	Kaden McCarthy	Markel Watkins
Josh Benjamin-Doyle	James Howey	Austin Babcock
Jackson Clark	Tate MaCauley	Garrett Godfrey
Brayden Lounsbury	Derek Mills	Nate Hulbert
Cameron Rought	Mark McCane	Austin Mumbulo
Gavin Kithcart	Dominic Palmer	Kadin Cole
Karson Sindoni		

And

WHEREAS: The Tioga County Legislature congratulates the team and coaches on their multiple victories, and extends our best wishes to the thirteen (13) departing seniors who successfully finished their high school football careers as State Champions; therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Tioga Central High School Football Team for their accomplishments in winning their fourth Class D State Championship and securing their third straight Class D State Championship title. Go Tigers!!!

Legislator Monell spoke. "Thank you all for being here today."

Chair Sauerbrey spoke. "I am very proud to say that I am a graduate of Tioga Central School, a very long time ago. Why are people successful? Because they have good leadership. We are recognizing a good leader today."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

**~~Recognizing Coach Nick Aiello, Tioga Central High School on
Being Selected as the 2023 Lou Rettino High School Coach of the Year ~~**

WHEREAS: On December 2, 2023, the Tioga Central High School Football team won their fourth Class D State Championship under the guidance and leadership of Head Coach Nick Aiello; and

WHEREAS: As Head Coach of the Tioga Central Tigers for the past 14 years, Coach Aiello has made the school's football program a unifying source of pride for their school and community with an impressive record of 136-23, earning their first Class D State Championship in 2015, achieving an inspiring and impressive record of three consecutive Class D State Championships in 2021, 2022, and 2023 and extending their winning streak to 41 games since 2021. In 2022, the Tioga Tigers became the first team ever to win 14 games in a season in New York State, and in 2023, they became the second; and

WHEREAS: Coach Aiello's passion, dedication, and leadership has led to increased participation in the school's football program over the years; and

WHEREAS: Coach Aiello also serves his community as a volunteer youth flag football, basketball and baseball coach; and

WHEREAS: Coach Aiello has been selected by the New York Giants and Gatorade as the 2023 Lou Rettino High School Coach of the Year; and

WHEREAS: This award is presented as part of the New York Giants continuing effort to support local high school football teams and is named in memory of Coach Lou Rettino for his commitment to the game of football, his community and the betterment of his athlete's lives; all attributes that Coach Aiello exhibits on the field and in the classroom by holding himself, his coaching staff, his players and students to the highest standards; therefore

THE TIOGA COUNTY LEGISLATURE does hereby publicly recognize this well-deserved honor and congratulates Coach Nick Aiello on being selected as the **2023 Lou Rettino High School Coach of the Year** and applauds him for his impressive team record and for enriching the lives of our student-athletes.

Chair Sauerbrey spoke. "Congratulations, coach. We have been trying to get the school here for the last three years, but now it is appropriate that we celebrate two things."

Coach Nick Aiello spoke. "Thank you very much."

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

Each year, January is recognized as National Human Trafficking Awareness Month and January 11 is Wear Blue for Human Trafficking Awareness Day. Tioga County's Safe Harbour Task Force takes steps each January, and throughout the year to identify, support and help keep safe youth and children in Tioga County who are impacted by the Commercial Sexual Exploitation of Children. Tioga County Safe Harbour also works with community agencies, schools, families, and services organizations to reduce the risk of exploitation of our children by providing education, prevention and awareness; and

WHEREAS: The commercial sexual exploitation of children is not only a global, but a local problem; the safety of our children depends on a community response; and

WHEREAS: The aftermath of child sexual exploitation is evident not only among the child affected, but their family and community at large; and

WHEREAS: The success of prevention and awareness programs such as Safe Harbour is enhanced by strong alliances with established services such as the Tioga County Department of Mental Hygiene, A New Hope Center, Tioga Opportunities, the Tioga County District Attorney's Office, Mothers and Babies Perinatal Network, and many others; and

WHEREAS: All adults, youth and children should be aware of and be able to recognize the signs of commercial sexual exploitation of children, the risk it poses to our youth and the importance of children having a safe, risk-free community within which to live.

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim January 2024 as

HUMAN TRAFFICKING AWARENESS MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize and reduce the risk of the commercial sexual exploitation of children.

There was no privilege of the floor.

Legislator Brown made a motion to approve the minutes of December 12, 2023, seconded by Legislator Ciotoli and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Chair Sauerbrey appointed Legislator Standinger to temporarily serve on the Personnel Legislative Standing Committee for 2024:

Chair Sauerbrey announced the 2024 Legislative Standing Committees have been established and will take effect in February. Chair Sauerbrey reported there were no changes from 2023.

STANDING COMMITTEES OF THE COUNTY LEGISLATURE OF THE COUNTY OF TIOGA FOR 2024

	Chairman			
1. Administrative Services (County Clerk, Historian, Real Property, Veterans, Elections)	Mullen	Standinger	Brown	Ciotoli
2. Economic Development/ Planning/ Tourism/ Agriculture	Roberts	Flesher	Mullen	Weston
3. Finance/Legal & Safety	Ciotoli	All Legislators		
4. Information Technology	Brown	Ciotoli	Monell	Mullen
5. Legislative Worksessions/ Legislative Support	Sauerbrey	All Legislators		
6. Health & Human Services	Standinger	Brown	Monell	Mullen
7. Public Safety/ Probation & DWI	Flesher	Weston	Roberts	Standinger
8. Public Works/ Capital Projects	Weston	Standinger	Roberts	Ciotoli
9. Personnel	Monell	Brown	Flesher	Weston

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 9-24 RECOMMEND MEMBERS TO THE
SUSQUEHANNA HERITAGE AREA COMMISSION

WHEREAS: Per Resolution No. 25-16, the Tioga County Legislature resolved that the Economic Development and Planning Committee recommend designees for the Municipal Representative and the Advisory Board Member on the Susquehanna Heritage Area (SHA) Commission for the term of office of the County Legislative Chair who appoints said persons; and

WHEREAS: Currently Rebecca Maffei, Tioga County Tourism Director, and Elaine Jardine, Tioga County Planning Director, have been serving as the two (2) SHA Commission members; and

WHEREAS: Rebecca Maffei, Tioga County Tourism Director, and Elaine Jardine, Tioga County Planning Director, are willing to serve as the two (2) SHA Commission members; therefore be it

RESOLVED: That the Economic Development and Planning Committee recommend Rebecca Maffei, the Tioga County Tourism Director, continue to serve as the Municipal Representative and Elaine Jardine, Tioga County Planning Director, continue to serve as the Advisory Board member on the Susquehanna Heritage Area Commission for the term of office of the County Legislative Chair who appoints said person.

ROLL CALL VOTE

Yes – Legislators Standing, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 10-24 APPOINT NEW YOUTH BOARD MEMBER TERM
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: Vacancies currently exist on the Youth Board; therefore be it

RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with the corresponding term of office as follows:

TERM

Kylie Holochak

1/1/2024 – 12/31/2026

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 11-24 APPOINTMENT OF ADMINISTRATIVE CORONER

WHEREAS: The Tioga County Coroners have selected an Administrative Coroner for 2024; and

WHEREAS: Such Administrative Coroner will perform the supervisory duties of managing their budget, paying the bills, and various office functions of the Coroner's office; and

WHEREAS: The Administrative Coroner will have no supervisory authority over the other Coroners; therefore be it

RESOLVED: That W. Stewart Bennett, Tioga County Coroner, has been selected by the four duly elected County Coroners to be designated as the Administrative Coroner for 2024 and be given a stipend of \$10,000 as set forth in the County budget.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 12-24 *ERRONEOUS ASSESSMENT*
TOWN OF BARTON

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #113.00-1-2 acct#10598 in the Town of Barton assessed to Anthony M. and Joyce Lynn Nieto on the 2024 tax roll of the Town of Barton is erroneous in the fact that Spencer-VanEtten School Taxes were paid; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Anthony M. and Joyce Lynn Nieto for parcel #113.00-1-2 as follows:

113.00-1-2	Original Bill #2961	Corrected Bill #2961
County	679.84	679.84
Townwide	155.90	155.90
Return School	1620.58	0.00
Halsey Valley Fire	52.46	52.46
Total	2508.78	888.20

And be it further

RESOLVED: That the erroneous County tax \$1620.58 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 13-24 *ERRONEOUS ASSESSMENT*
 TOWN OF BARTON

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #103.00-2-8.20 acct#1956 in the Town of Tioga assessed to Allen H. Hopkins on the 2024 tax roll of the Town of Barton is erroneous in the fact that Spencer Van-etten School Taxes were paid; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Allen H. Hopkins for parcel #103.00-2-8.20 as follows:

103.00-2-8.20	Original Bill #915	Corrected Bill #915
County	1259.33	1259.33
Townwide	470.09	470.09
Return School	2552.23	0.00
Tioga Fire	145.40	145.40
Total	4427.05	1874.82

And be it further

RESOLVED: That the erroneous County tax \$1874.82 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 14-24 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #101.00-2-25 acct#11080 in the Town of Barton assessed to Carolyn C. Neuman on the 2024 tax roll of the Town of Barton is erroneous in the fact that Spencer-VanEtten School Taxes were paid; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Carolyn C. Neuman for parcel #101.00-2-25 as follows:

101.00-2-25	Original Bill #2954	Corrected Bill #2954
County	407.90	407.90
Townwide	93.54	93.54
Return School	972.35	0.00
Halsey Valley Fire	31.47	31.47
Total	1505.26	532.91

And be it further

RESOLVED: That the erroneous County tax \$532.91 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 15-24 ERRONEOUS ASSESSMENT
 TOWN OF NEWARK VALLEY

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #42.00-1-11.30 acct#1540 in the Town of Newark Valley assessed to Patricia Spoonhower on the 2024 tax roll of the Town of Newark Valley is erroneous in the fact that Newark Valley School Taxes were paid; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Patricia Spoonhower for parcel #42.00-1-11.30 as follows:

113.00-1-2	Original Bill #1735	Corrected Bill #1735
County	434.33	434.33
Townwide	207.74	207.74
Return School	422.11	0.00
Halsey Valley Fire	80.84	80.84
Total	1145.02	722.91

And be it further

RESOLVED: That the erroneous County tax \$722.91 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 16-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in January and February, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

January 20 – Jewelry Workshop, Dwyer Grant - \$500.00
February 3 – Flannel Fest 2024, Dwyer Grant - \$1,200.00

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 17-24 *RENEW SOFTWARE MAINTENANCE AGREEMENT
WITH DOMINION VOTING FOR THREE YEARS AND
AUTHORIZE PREPAYMENT*

WHEREAS: The Tioga County Board of Elections utilizes Election Management Software (EMS) from Dominion Voting to run Tioga County elections; and

WHEREAS: The Board of Elections will continue to use Dominion EMS for as long as Dominion voting machines are also utilized; and

WHEREAS: The previous three-year agreement for EMS software maintenance expired December 31, 2023; and

WHEREAS: A budgetary quote obtained from Dominion Voting show that compared with annual installments, paying the up-front cost of \$30,000.00 for three years of EMS Software Maintenance would be discounted \$3,000.00 for a total payment of \$27,000; and

WHEREAS: The Board of Elections has budgeted for annual installments to cover this expense; therefore be it

RESOLVED: The Board of Elections is authorized to prepay the EMS Software Maintenance, for the term 01/01/2024 to 12/31/2026, for \$27,000.00; and be it further

RESOLVED: That \$9,000.00 for the above agreement be paid from the budget line A1450 540620-Software Expense yearly for three years.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ITCS COMMITTEE
 FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 18-24 *AUTHORIZE TO RENEW THREE-YEAR SaaS AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.*

WHEREAS: The Tioga County Information Technology and Communication Services department has a current Software as a Service (SaaS) agreement with Environmental Systems Research Institute, Inc. (ESRI); and

WHEREAS: The Tioga County Information Technology and Communication Services department's three-year Agreement with ESRI expired on December 31, 2023; and

WHEREAS: The Chief Information Officer and GIS Manager have negotiated a locked price for three years at an annual cost of \$39,700.00; and

WHEREAS: Funding will be provided for using Information Technology and Communication Services Capital funds H1680 520620 (Software) at a cost of \$39,700.00 per year; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute an agreement between Tioga County and Environmental Systems Research Institute, Inc. upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO	HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 19-24	<i>AUTHORIZE CONTRACT WITH LIBERTY RESOURCES SOCIAL SERVICES</i>

WHEREAS: The Department of Social Services contracts with Liberty Resources for the Co-location and Collaboration of Behavioral Health and Child Protective Services; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2024 through December 31, 2024; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Liberty Resources for the Co-location and Collaboration of Behavioral Health and Child Protective Services in the amount of \$71,853 for the period January 1, 2024 through December 31, 2024.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 20-24	<i>AUTHORIZE CONTRACT WITH SECURITAS SECURITY SERVICES</i>

WHEREAS: The Tioga County Department of Social Services has a contract with Securitas to provide security services at the HHS complex effective January 23, 2024 through December 31, 2024; and

WHEREAS: The need for ongoing security exists at these locations; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Securitas to continue providing security services at the HHS complex effective as of January 23, 2024; and be it further

RESOLVED: That the Commissioner of Social Services is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

Legislator Standinger spoke. "James does an excellent job out there organizing the employees. He is always a happy, friendly face which is refreshing in this day and age."

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 21-24 *AUTHORIZE CONTRACT WITH
ALLEN TUNNEL CORPORATION
DBA ATC TAXES*

WHEREAS: Allen Tunnel Corporation was identified as the preferred tax collection software vendor by Resolution No. 267-17; and

WHEREAS: The Treasurer's Office has been utilizing this software since its implementation in 2018 and desire to continue its use; and

WHEREAS: The initial contract's five-year maintenance period expired on 12/31/2023; therefore be it

RESOLVED: That the County of Tioga be authorized to contract with Allen Tunnel Corporation DBA ATC Taxes during the period of January 1, 2024, through December 31, 2029 at a cost not to exceed \$232,639 upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 22-24 *AUTHORIZE ACCEPTANCE OF YEAR SIX FUNDING FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES AND ACCEPT YEAR SIX FUNDING FOR HURRELL-HARRING GRANT AND AMEND 2024 BUDGET*

WHEREAS: By Resolution No. 432-23 adopted on November 14, 2023, Tioga County entered into a three-year agreement with the New York State Office of Indigent Legal Services for distribution of funds to provide representation to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The allocated amount to Tioga County from NYS Office of Indigent Legal Services for the fiscal year April 2023 – March 2024 is \$761,014.42; and

WHEREAS: It is necessary for Tioga County to adopt the sixth-year funding budget for said distribution in said amount of \$761,014.42; and

WHEREAS: Said funding in the amount of \$761,014.42 needs to be appropriated and the 2024 budget be amended; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the six-year budget of said distribution in the amount of \$761,014.42; and be it further

RESOLVED: That upon execution of the sixth-year contract amendment, the ILS HH Grant of \$761,014.42 subtracting out the \$402,710.35 salary and fringe Tioga County has already appropriated the 2024 Budget be amended as follows:

Revenue Account: A1174 430260 State Aid Indigent	\$ 761,014.42
Expense Account: A 1174 510010 Full Time Salary	\$ 4,518.65
A 1174 510020 Part Time Salary	\$ 73,993.00
A 1174 520200 Office Equipment	\$ 885.00
A 1174 520250 Remodeling	\$ 10,000.00
A 1174 520210 Other Furniture	\$ 1,700.00
A 1174 520070 Chairs	\$ 1,900.00
A 1174 520090 Computers	\$ 1,100.00
A 1174 520150 Filing Cabinet	\$ 115.00
A 1174 540030 Assigned Counsel	\$ 10,000.00
A 1174 540040 Books	\$ 3,500.00
A 1174 540140 Contracted Services	\$ 43,000.00
A 1174 540140 HPCC Con Services	\$ 10,000.00
A 1174 540180 Dues	\$ 1,500.00
A 1174 540280 Investigations	\$ 44,064.42
A 1174 540280 HPCC Investigations	\$ 10,000.00
A 1174 540320 Leased Services	\$ 2,000.00
A 1174 540390 Mileage	\$ 5,000.00
A 1174 540420 Supplies	\$ 3,800.00
A 1174 540550 Rent	\$ 53,600.00
A 1174 540620 Software Expenses	\$ 20,000.00
A 1174 540640 Other Supplies not office	\$ 250.00
A 1174 540700 Transcripts	\$ 8,000.00
A 1174 540700 HPCC Transcripts	\$ 2,000.00
A 1174 540733 Training/CLE	\$ 4,500.00
A 1174 581088 Retirement	\$ 9,386.01
A 1174 583088 Social Security	\$ 26,571.19
A 1174 585588 Disability	\$ 179.35
A 1174 584088 Workers Comp	\$ 9,493.10
A 1174 586088 Health Ins/HRA	\$ -2,865.65
A 1174 588988 EAP	\$ 114.00

ROLL CALL VOTE

Yes – Legislators Standing, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 23-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program Phase 9 (FFY 23), PIN 9754.58 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering / Design and Construction, Construction Support, and Construction Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the **Construction, Construction Support, and Construction Inspection** work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$27,000 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 24-24 *ESTABLISH CAPITAL RESERVE FUND FOR A
DPW EQUIPMENT STORAGE FACILITY*

WHEREAS: Tioga County recognizes the importance of maintaining the infrastructure in the County and the importance of the equipment needed to facilitate the maintenance of that infrastructure; and

WHEREAS: The Tioga County Legislature has budgeted \$500,000 in H1620 520994 BG004-Building Construction: New Truck Facility as part of the 2024 Capital Budget to begin planning for a DPW Equipment Storage Facility and wishes that any unspent funds in this account at the end 2024 be placed in a reserve; and

WHEREAS: Tioga County wishes to establish a Capital Reserve Fund pursuant to General Municipal Law Section 6-c to accumulate moneys to finance the cost of the construction, reconstruction or acquisition of roads, bridges, public lands, buildings and construction and maintenance equipment or vehicles; therefore be it

RESOLVED: That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "DPW Equipment Storage Facility". The purpose of this Reserve Fund is to accumulate moneys to finance the cost of the acquisition, reconstruction, and/or construction of an Equipment Maintenance & Storage Facility for the use of the Department of Public Works. The specific capital improvement item(s) of equipment to be financed from the Reserve Fund are the acquisition, reconstruction, and/or construction of an Equipment Maintenance & Storage Facility. The estimated maximum cost of such facility is approximately \$2,000,000.00; and be it further

RESOLVED: That the Tioga County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Tioga County Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of Tioga County. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Tioga County Treasurer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Legislature a detailed report of the operation and condition of the Reserve Fund; and be it further

RESOLVED: That except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this

Reserve Fund without the approval of this Legislature and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

Legislator Mullen spoke. "I want to thank Gary Hammond for bringing this forward. I think it is forward-thinking. It's about time and I appreciate all the hard work that has gone into getting this long-needed project underway."

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 25-24 *BUDGETARY AMENDMENT AUTHORIZATION AS RELATED TO THE 2023 HIGH PROFILE CRIMINAL CASE*

WHEREAS: The Tioga County Legislature has recognized the need for additional funds whereas it may relate to a 2023 High Profile Criminal Case that will impact multiple County departments for the unforeseeable future; and

WHEREAS: In the 2024 Budget, the Tioga County Legislature has approved an additional \$500,000.00 to be used as necessary by County departments to offset the costs of the Criminal Case in account A1340 540721 HPCC; and

WHEREAS: Transfers in and out of the A1340 ORG to any ORG will amend the 2024 Budget, and the Financial Guidelines authorized by the Tioga County Legislature do now allow the amending of budgetary accounts without Legislative Resolution; and

WHEREAS: The Legislative Resolution process may delay or prevent departments from making timely payments and can cause an excess of Legislative Resolutions to be created; therefore be it

RESOLVED: That in order to better aid departments in the management of expenses as they relate to the High Profile Criminal Case, the Tioga County Legislature hereby authorizes the Budget Officer and/or the County Treasurer to approve and post budget transfers out of the A1340 540721 HPCC at their discretion, without a Legislative Resolution, only for the Fiscal Year 2024; and be it further

RESOLVED: That expenditures for the High Profile Criminal Case are to be tracked accordingly by departments and presented to the Tioga County Legislature at its request. Any and all transfers made out of the A1340 540721 HPCC are to be solely related to the High Profile Criminal Case and are to be assigned to an account with the HPCC project code; and be it further

RESOLVED: Any unspent funds are to be transferred back to the A1340 540721 HPCC account by the end of the Fiscal Year 2024.

Legislator Mullen spoke. "This case was taken on by our District Attorney's Office because in one of the adjoining counties the political environment was not as such to hold several of these defendants accountable for their criminal acts. It's expensive. It's a huge undertaking by the County, but a person's life was taken. I think it speaks volumes about justice and doing the right thing even though it may cost us quite a bit of money. That was not the case in the adjoining county. They wanted one or two people arrested on this case."

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE COMMITTEE

RESOLUTION NO. 26-24 RE-ESTABLISH PRIOR YEAR 2023 ARPA
OPERATING & CAPITAL APPROPRIATIONS

WHEREAS: American Rescue Plan Act “ARPA” Funds have been granted to Tioga County by the US Treasury in 2021 in the total amount of \$9,362,868; and

WHEREAS: As of 12/31/2023 there is approximately \$6,135,570 in unspent ARPA funds; and

WHEREAS: It has been determined by the US Treasury that ARPA funds granted shall be considered obligated by calendar year end 2024, and be expended by the end of calendar year 2026; therefore be it

RESOLVED: The following amounts be re-established within the

2024 Budget: **Operational Appropriations**

A6510 540640 M7674 SUPPLIES (NOT OFFICE) \$25,000.00
Funding to Tioga County Veterans Admin for Suicide Prevention Efforts

A6510 540640 M7674 SUPPLIES (NOT OFFICE) \$15,101.07
Unspent Prior Year Veterans ARPA Funds

A1680 540140 M7674 CONTRACTING SERVICES \$343,740.00
Broadband Upgrades

A1680 540140 M7674 CONTRACTING SERVICES \$122,982.92
Ortho Imagery Mapping Services

CI8042 540140 M7674 CONTRACTING SERVICES \$160,000.00
Security Guard Expenses – 56 Main

Capital Appropriations

H1620 521230 M7674 RADIO & EQUIPMENT \$4,000,000.00
Radio Tower Communications Upgrades

H1620 520994 M7674 BUILDING CONSTRUCTION \$623,728.73
Truck Wash Facility

H1680 520620 M7674 SOFTWARE EXPENSE <i>IT – Multi-Factor Authorization Upgrades</i>	\$39,250.67
H1620 520911 M7674 RENOVATIONS 56 MAIN <i>Security Hardware & Facility Upgrades for 56 Main</i>	\$404,568.87
H1620 520926 M7674 HVAC CONTROL SYSTEM <i>HVAC System Upgrades</i>	\$240,141.03
H1620 520926 M7674 COURT ANNEX RENOVATIONS <i>Court Annex Renovations</i>	\$143,000.00

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 27-24 APPROPRIATION OF FUNDS AND
BUDGET MODIFICATION
TIOGA COUNTY VETERANS' SERVICE AGENCY

WHEREAS: Tioga County Veterans' Service Agency (TCVSA) applied for a New York State Office of Mental Health's Suicide Prevention Center two-year "CARES UP" grant to continue and expand implementation of a model national program called the Expiration Term of Service – Sponsorship Program (ETS-SP); specifically, Onward Ops Program, in collaboration with the original counties of Cayuga, Chemung, Chenango, Cortland, Schuyler and Tompkins, and to expand the reach of the program to include 14 new counties in Central NY, Mohawk Valley, Capital Region, and the North Country; and

WHEREAS: TCVSA was notified that it had received the two-year grant in a total of \$55,000 (\$30,000 year one, \$25,000 year two) to implement the ETS-SP/Onward Ops community-based program throughout these twenty counties in order to assist

transitioning service members and veterans (TSMs/Vs) as they shift from military to civilian life; and

WHEREAS: TCVSA will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: Appropriation of funds and Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6510-437100-ETSSP	State Aid-Veterans Services	\$55,000.00
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To: A6510-540487-ETSSP	Program Expense ETSSP	\$55,000.00
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And be it further

RESOLVED: Available funds on 12/31/2024 of the original \$55,000 will be carried forward into the New Year.

Legislator Standinger spoke. "Mike Middaugh, our Director of Veterans' Service Agency, does an excellent job administering this program. It is a good thing that it is being done because 22 a month is way too many to see committing suicide in the Veteran population. As long as there are funds available, I appreciate the fact that he is administering this program."

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 28-24 *APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
SOCIAL SERVICES*

WHEREAS: Safe Harbor NY funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to raise awareness about sexually exploited youth; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6050.436100 State Aid: Administration	\$ 30,000
To: A6050.540140 Contracting Services	\$7,871
To: A6050.540420 Office Supplies	\$ 500
To: A6050.540487 Program Expense	\$ 16,129
To: A6050.540640 Supplies (Not Office)	\$ 1,000
To: A6050.540733 Train/All Other Expense	\$ 4,500

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 29-24 BUDGET TRANSFER TO FUND
OFFICE 365 SUBSCRIPTION

WHEREAS: Resolution No. 409-23 authorized the renewal and updating of existing Microsoft Enterprise Agreement; and

WHEREAS: Resolution No. 409-23 authorized the funding of this agreement using Capital Software H1 680-520620 account; and

WHEREAS: Legislative approval is needed to amend or modify budget and appropriate funds; therefore be it

RESOLVED: That the following funds be transferred and the 2024 budget be modified as follows:

FROM:	H.387804	Capital Software Reserve	\$102,000.00
TO:	H1 680 520620	Capital Software Expense	\$102,000.00

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 30-24 ABOLISH OFFICE SPECIALIST II AND
CREATE ACCOUNTING ASSOCIATE II POSITION
MENTAL HYGIENE

WHEREAS: Legislative approval is required to abolish and create any position within a Tioga County department or office; and

WHEREAS: One (1) full-time Office Specialist II (Salary Grade IV) position has been vacant within the Mental Hygiene Department since December 18, 2023; and

WHEREAS: Upon review of the Department's needs for additional accounting staff, the Director of Community Services has determined that the vacancy would better be utilized to provide additional accounting functions through the creation of an Accounting Associate II (Salary Grade V) position; therefore be it

RESOLVED: That one (1) Office Specialist II position (\$31,131 CSEA SG IV) shall be abolished and one (1) Accounting Associate II position (\$32,851 CSEA SG V) be created effective January 15, 2024.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 31-24 RECLASSIFY AND FILL VACANT POSITION
PROBATION DEPARTMENT

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: One Probation Officer 2/Sr. Probation Officer (CSEA SG XII) has been vacant since September 30, 2023; and

WHEREAS: The Probation Director has reviewed the staffing needs within Probation and has determined that said vacancy would be better utilized in the operations of the department if the position was reclassified as a Probation Officer 1 (CSEA SG XI \$48,941-\$49,941); therefore be it

RESOLVED: That if a mandated eligible list is not available, a provisional appointment may be made; and be it further

RESOLVED: That the Legislature hereby authorizes the reclassification and filling of one vacant, full-time Probation Officer 2/Sr. Probation Officer (CSEA SG XII \$50,924-\$51,924) to a full-time Probation Officer 1 (CSEA SG XI \$48,941-\$49,941) effective January 1, 2024.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 32-24 *AUTHORIZE APPOINTMENT OF CHIEF ACCOUNTANT
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a Management Confidential position within Tioga County; and

WHEREAS: The position of Chief Accountant became vacant as of September 8th, 2023, within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a qualified candidate; therefore be it

RESOLVED: That Natasha Douglas is provisionally appointed to the title of Chief Accountant, pending successful completion of civil service examination requirements, at an annual Management Confidential salary of \$69,403, effective January 16th, 2024; and be it further

RESOLVED: That Mrs. Douglas will be eligible for a \$2,000 increase in annual salary upon appointment from the Civil Service Eligible List.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 33-24 APPOINT ASSISTANT PUBLIC DEFENDER
PUBLIC DEFENDER OFFICE

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: As of January 1, 2024, the position of Assistant Public Defender has been vacant due to promotion; and

WHEREAS: The Public Defender has recruited for a replacement and after interviewing, a satisfactory candidate has been identified; and

WHEREAS: Mr. James Davis has over 14 years of relevant legal experience including extensive experience in upstate New York Courts with every stage of representation of indigent defendants and including felony trial experience, and further comes with excellent references from his current employer; therefore be it

RESOLVED: That the Public Defender is hereby authorized to appoint James Davis to the title of Assistant Public Defender, with a start date of January 29, 2024, at an annual Management/Confidential salary of \$86,644; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Mr. Davis shall serve a probationary period of eight to fifty-two weeks; and be it further

RESOLVED: That this resolution will be null and void if Mr. Davis fails to pass the County mandated criminal background check.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 34-24 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Days/Month (based on Record of Activities)	Pay Frequency	Not Submitted
Appointed Officials						
Assistant Fire Coordinator	Stephen Solomon	6	1/1/22-12/31/25	5.12	Biweekly	

I, Cathy Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 9th day of January 2024 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 9th day of January 2024.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on January 9, 2024 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.gov
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at _____

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth four late-file resolutions for Legislature consideration, seconded by Legislator Brown. Motion carried.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 35-24 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #173.00-1-16 acct#4398 in the Town of Owego assessed to Bethany Ann Altieri and Donald James Race on the 2024 tax roll of the Town of Owego is erroneous in the fact that OACSD taxes based on incorrect assessed value; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Bethany Ann Altieri and Donald James Race for parcel #173.00-1-16 as follows:

173.00-1-16	Original Bill #1693	Corrected Bill #1693
County	1114.20	1114.20
Townwide	120.77	120.77
Part Town	261.76	261.76
Return School	3939.75	2457.46
Owego Fire	336.23	336.23
Total	5772.71	4290.42

And be it further

RESOLVED: That the erroneous County tax \$1482.29 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 36-24 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #162.00-1-1.1 acct#4522 in the Town of Owego assessed to Thomas Anschutz and Heather Bartlett on the 2024 tax roll of the Town of Owego is erroneous in the fact that OACSD taxes based on incorrect assessed value due to a SCAR decision; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Thomas Anschutz and Heather Bartlett for parcel #162.00-1-1.1 as follows:

162.00-1-1.1	Original Bill #1757	Corrected Bill #1757
County	2684.82	2684.82
Townwide	291.00	291.00
Part Town	630.75	630.75
Return School	7412.90	5261.46
Owego Fire	810.18	810.18
Total	11,829.65	9,678.21

And be it further

RESOLVED: That the erroneous County tax \$2,151.44 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE
RESOLUTION NO. 37-24 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #128.08-7-19 acct #713 in the Town of Owego assessed to Tony and Kerri Montana on the 2024 tax roll of the Town of Owego is erroneous in the fact that property was transferred to the Land Bank prior to tax warrant; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Tioga County Property Development Corporation for parcel #128.08-7-19 as follows:

128.08-7-19	Original Bill #869	Corrected Bill #869
County	357.54	0.00
Townwide	38.75	0.00
Return School	854.30	854.30
Return Village	639.76	639.76
Total	1890.35	1494.06

And be it further

RESOLVED: That the erroneous County tax \$396.29 be charged back to the proper accounts of the Tioga County Treasurer’s Office.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE, LEGAL, AND SAFETY COMMITTEE

RESOLUTION NO. 38-24 APPOINTMENT OF REPUBLICAN ELECTION CLERK PT BOARD OF ELECTIONS

WHEREAS: Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the Management/Confidential listing; and

WHEREAS: The position of Republican Election Clerk PT has been vacant since November 17, 2023; and

WHEREAS: A request to backfill the vacancy was approved on 11/28/2023; and

WHEREAS: The Republican Election Commissioner has selected a candidate to fill said vacancy; therefore be it

RESOLVED: That Tammi R. Seeley shall be appointed as the Republican Election Clerk PT, effective January 16, 2024 at the rate of \$18.57/hr.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. “Before I adjourn the meeting, I want to remind everyone that tomorrow we are having a Pop-up Career Fair in the Hubbard Auditorium from 9:00 a.m. – 12:00 p.m. If you know anyone looking for work, Tioga County is a great place to work.”

Meeting adjourned at 12:33 p.m.

Second Regular Meeting
February 13, 2024

The Second Regular Meeting of 2024 was held on February 13, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present with Legislator Weston being absent.

Chair Sauerbrey asked Legislator Brown to have a moment of prayer. "Lord, I ask you to continue looking over this Legislature as we make the best decisions for Tioga County and also keep an eye out for our fellow Legislator Dale Weston."

Legislator Brown led all Legislators and those in attendance in the Pledge of Allegiance.

There were 5 people in attendance.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of January 2 and 9, 2024, seconded by Legislator Brown and carried.

Chair Sauerbrey made the following appointments:

CSEA Contract Negotiations Committee:

- Legislator Ciotoli
- Legislator Standingger
- Personnel Officer Parke
- Commissioner of Public Works Hammond
- Deputy Commissioner of Social Services Myers

ED&P Legislative Standing Committee:

- Legislator Ciotoli – 2/13/24 – 12/31/24

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 39-24 APPOINT MEMBERS ALTERNATIVES TO
INCARCERATION ADVISORY BOARD

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/24-3/31/25
Crime Victim	4/1/24-3/31/25
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/24-3/31/25

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 40-24 RE-APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL DEVELOPMENT
CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Christina DiStefano expires as of March 31, 2024; and

WHEREAS: Christina DiStefano has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Christina DiStefano for another three-year term effective 4/1/24 through 3/31/27.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 41-24 *RE-APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL DEVELOPMENT
CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member Beth Johnson expires as of March 31, 2024; and

WHEREAS: Beth Johnson has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Beth Johnson for another three-year term effective 4/1/24 through 3/31/27.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 42-24 *SET PUBLIC HEARING FOR 2024 ANNUAL AGRICULTURAL DISTRICT INCLUSIONS*

WHEREAS: The Tioga County Legislature, as per Resolution No. 296-03 designated January 2nd through January 31st as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2024 on February 22, 2024 at 10:00 A.M. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 43-24 *SET PUBLIC HEARING FOR NYS CDBG MICROENTERPRISE GRANT APPLICATION*

WHEREAS: Tioga County Economic Development & Planning intends to apply for a NYS CDBG Microenterprise Program Grant to support microenterprises in Tioga County with business start-up and expansion funding; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing allowing for citizen feedback on the community and economic development needs of Tioga County and the proposed program; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regard to the current Community Development Block Grant project in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, February 22, 2024 at 10:05 A.M. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standingier.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 44-24 *ERRONEOUS ASSESSMENT*
TOWN OF NICHOLS

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #150.00-1-36 acct#918 in the Town of Nichols assessed to Sandi Calabrese-Clark on the 2024 tax roll of the Town of Nichols is erroneous in the fact that return school tax did not include the Basic Star exemption, which was erroneously removed; and

WHEREAS: An application for Refund or Credit of Real Property Taxes was filed requesting a refund of property taxes levied by Tioga County and Town of Nichols for 2024; and

WHEREAS: The 2024 tax bill was paid to the Nichols Tax Collector in the Town of Nichols on 1/10/2024; therefore be it

RESOLVED: That a refund be issued to Sandi Calabrese-Clark by the Town of Nichols in the amount of \$589.01, and the bill be corrected as follows:

150.00-1-36	Original Bill #389	Corrected Bill #389
County	387.92	387.92
Townwide		
Part Town	91.68	91.68
Return School	925.35	336.34
Nichols Fire	65.48	65.48
Total	1470.43	881.42

And be it further

RESOLVED: That the erroneous tax of \$589.01 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 45-24 *ERRONEOUS ASSESSMENT*
 TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #163.00-1-9.12 acct#3877 in the Town of Owego assessed to Nancy Gibson on the 2024 tax roll of the Town of Owego is erroneous in that owner qualified to receive Partial Tax Exemption for Senior Citizens on the 2023 assessment roll and did not receive it; therefore be it

RESOLVED: That a new 2024 tax bill be issued by the Town of Owego Tax Collector to Nancy Gibson for parcel 163.00-1-9.12 as follows:

	Original Bill #3877	Corrected Bill #3877
County	412.54	330.04
Townwide	41.73	32.79
Part Town	90.46	71.07
Apalachin Fire	174.97	174.97
Total	719.70	608.87

And be it further;

RESOLVED: That the erroneous County tax of \$82.50 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Townwide tax of \$8.94 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Part Town tax of \$19.39 be charged back to the Town of Owego.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 46-24 AMEND RESOLUTION NO. 13-24
 ERRONEOUS ASSESSMENT
 TOWN OF TIOGA

WHEREAS: Resolution No. 13-24 adopted on January 9, 2024 incorrectly indicated parcel #103.00-2-8.20 is located in the Town of Barton when in fact it is located in the Town of Tioga; and

WHEREAS: An application for Corrected Tax Roll for the year 2024 indicates that parcel #103.00-2-8.20 acct#1956 in the Town of Tioga assessed to Allen H. Hopkins

on the 2024 tax roll of the Town of Tioga is erroneous in the fact that Spencer Van-Etten School Taxes were paid; therefore be it

RESOLVED: That new 2024 tax bills be issued by the Tioga County Treasurer's Office to Allen H. Hopkins for parcel #103.00-2-8.20 as follows:

103.00-2-8.20	Original Bill #915	Corrected Bill #915
County	1259.33	1259.33
Townwide	470.09	470.09
Return School	2552.23	0.00
Tioga Fire	145.40	145.40
Total	4427.05	1874.82

And be it further

RESOLVED: That the erroneous County tax \$1874.82 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 47-24 SUPREME COURT ORDER
 TOWN OF OWEGO

WHEREAS: The Supreme Court of the State of New York has rendered an Order in the matter of MRAN Hospitality, LLC & MH Hospitality of Tioga, LLC v. Town of Owego, New York and its Assessor, and Board of Assessment Review and issued Stipulation of Settlement and Order, indicating a reduction of assessment as decided by the parties involved, and filed on January 9th, 2024; and

WHEREAS: The Court Stipulation of Settlement and Order reduces the assessment of parcel 153.07-1-40.112 from 1,725,000 to 977,400 for the tax year of 2022/2023 and 2023/2024; and

WHEREAS: The 2023 Town and County taxes were paid at the Treasurer's Office on May 30th, 2023 and the order stipulates a refund be generated based on the reduced assessment; and

WHEREAS: The 2024 Town and County taxes remain unpaid at the Town of Owego, and the order stipulates an amended and revised tax bill shall be issued according to the reduced assessment; therefore be it

RESOLVED: That a refund be issued for the 2023 taxes by the Tioga County Treasurer's Office and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's Office; and be it further

RESOLVED: That a new bill for the unpaid 2024 tax year for 153.07-1-40.112 be issued by the Tioga County Treasurer's Office as stipulated by the order and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's Office; and be it further

RESOLVED: That the parcel 153.07-1-40.112 assessment shall remain at \$977,400 for the tax years 2024/2025 and 2025/2026 absent application of any of the enumerated exceptions to RPTL 727.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO:

ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 48-24

REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in February, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

February 17 – Jewelry Workshop, Dwyer Grant - \$500.00

February 28 & 29 – Mental Health First Aid Training, Dwyer Grant - \$350.00

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

Legislator Mullen spoke. "This is all Dwyer Grant money. It is not local budgeted funds. This is money they receive to do exactly this."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 49-24 *AUTHORIZE PURCHASES OUTSIDE COUNTY POLICIES
PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) has need to purchase food and beverage items as part of the operation of their department; and

WHEREAS: While some of these expenditures fall outside of County Policies, they are reimbursed through outside entities, including grants and non-governmental funding awards; and

WHEREAS: In coordination with the County Auditor, TCPH desires to establish clear approvals for these expenditures by receiving Legislative authorization via Resolution for TCPH to make expenditures that may be outside normal County Policies for food/beverages; and

WHEREAS: Operational situations for the benefit of TCPH and Tioga County occur when employees and/or volunteers are participating in an event and unable to break or leave for meals at the events; and

WHEREAS: TCPH has identified the following events it wishes to receive authorization from the Legislature to purchase foods/beverages for those employees and/or volunteers working these events during meal times:

- Rabies Vaccination Clinics
- Car Seat & CarFit Events
- Public Health Tabling Events

In addition, the following may go over the \$150 County Policy threshold:

- Public Health Emergency Preparedness Events/Drills
- Hosting State Meetings/Events
- Hosting Water Operators Association meetings (100% reimbursed)

And

WHEREAS: Authorization outside of County Policies requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes TCPH to purchase food/beverages in the above-mentioned events, with the understanding that no local funds will be used.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 50-24 *AUTHORIZE COUNTY CLERK TO COLLECT
ADDITIONAL LIS PENDENS FEE*

WHEREAS: NYS law allows the County Clerk to charge recording fees of \$25 for Notices of Pendency filed in court cases in addition to the \$35 filing fee; and

WHEREAS: The Tioga County Clerk is not currently collecting this recording fee on Notices of Pendency in addition to the \$35 filing cost; and

WHEREAS: In order to keep the fee charged consistent across the State, the New York State Office of Court Administration is increasing the fee for a Notice of Pendency to \$60 from the current \$35 to include the additional \$25 recording fee; therefore be it

RESOLVED: That the County Clerk is authorized to charge a total of \$60 for Notices of Pendency filed and recorded in the office.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 51-24 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF BARTON
TO MARY E. MARSHALL*

WHEREAS: Property located in the Town of Barton assessed to the County of Tioga, identified as Tax Map number 157.07-1-21, parcel number 10851 which was acquired for 2018 & 2019 delinquent taxes; and

WHEREAS: Angel L. Beebe was the closing bidder with the winning bid of \$100 paid at the Foreclosure Auction held on October 7, 2021 and has defaulted by not appearing at closing with forfeiture of the \$100; and

WHEREAS: The Treasurer has approached an adjacent property owner, Mary E. Marshall, hereby making an offer to sell said property for \$100, "as is", thereby transferring the property to Mary E. Marshall; therefore be it

RESOLVED: That the County rescinds its previous resolution to sell said property to Angel L. Beebe, the closing bidder with \$100, paid at the Foreclosure Auction held on October 7, 2021, by Default of Appearance at closing, with forfeiture of the \$100; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$100 and recording costs, a Quit Claim Deed conveying the property assessed to the County of Tioga located in the Town of Barton identified on the Town of Barton Tax Map as number 157.07-1-21, parcel number 10851, to Mary E. Marshall and/or assigns.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 52-24 *APPORTIONING FORFEITURE OF CRIME
PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Resolution No. 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Tioga County has received \$10,000.00 from a drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Tioga County District Attorney's Office (15%)	\$1,500.00
Owego Police Department (5%)	\$500.00
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	3,200.00
Owego Police Department (75%)	\$3,600.00
Tioga County District Attorney's Office (25%)	<u>\$1,200.00</u>
	\$10,000.00

And

WHEREAS: Appropriation of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250 Forfeiture of Crime Proceeds	\$ 1,500.00
	A1165-426260 Forfeiture of Crime Proceeds Restricted	\$ 8,500.00
TO:	A1165-540335 Asset Forfeiture Expense	\$ 1,500.00
	A1165-540336 Asset Forfeiture Expense-Restricted	\$ 8,500.00

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 53-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from the New York State Department of Health (NYSDOH); and

WHEREAS: The award is for successful participation in the NYSDOH Local Health Department Year 11 Performance Incentive Program; and

WHEREAS: The funding is designated for Public Health program related expenses; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4011 434010 Public Health: State Aid \$11,579

To: A4011 540487 Public Health: Program Expense \$11,579

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 54-24 AMEND BUDGET AND TRANSFER FUNDS
PUBLIC WORKS

WHEREAS: Tioga County has budgeted for replacement of the HVAC controls and a rooftop unit at the Court Annex Building; and

WHEREAS: The Commissioner has received bids for the new installation of the HVAC system and there are insufficient funds for this project in the current budget; and

WHEREAS: Funds are available in another capital line item because DPW made use of an existing structure instead of a new construction truck wash facility; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: H1620.520994.M7674	Building Construction - ARPA	\$160,000
To: H1620.520927.M7674	Court Annex Renovation- ARPA	\$160,000

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 55-24 *APPROVE SOLE SOURCE PURCHASE OF BOILER AT
THE PUBLIC SAFETY BUILDING AND
AMEND BUDGET AND TRANSFER FUNDS
PUBLIC WORKS*

WHEREAS: One boiler at the Public Safety Building failed and with time being of the essence to begin the process of manufacturing a replacement boiler; and

WHEREAS: The Commissioner of Public Works received a quote for the replacement of the boiler unit for the amount of \$20,510.48 from Adirondack Combustion Technologies; and

WHEREAS: Legislative approval is required for all sole source purchases; and

WHEREAS: Adirondack Combustion Technologies is the sole source for a replacement Patterson Kelly Boiler unit which will only work with the current HVAC system installed at the Public Safety Building; and

WHEREAS: This purchase will be in Tioga County's best financial interest as it is less expensive for the County to purchase the boiler unit directly from the vendor than to purchase it through a mechanical services contractor who will still need to purchase the item from Adirondack Combustion Technologies, further, this will allow Tioga County DPW personnel to install said boiler at an additional cost savings; and

WHEREAS: Funds are available for the purchase of the boiler from Account A1620.540140; and

WHEREAS: Legislative approval is needed for budget amendments and interfund transfers; therefore be it

RESOLVED: That the Tioga County Legislature approve the purchase of the boiler from Adirondack Combustion Technologies, Duanesburg, NY in the amount of \$20,510.48; and be it further

RESOLVED: That the Tioga County Legislature authorizes the following transfer of funds and 2024 budget amendment:

From: A1620.540140 Contracting Services \$20,510.48

To: H1620.520913 Public Safety Building Renovations \$20,510.48

And be it further

RESOLVED: That the following interfund transfer be approved:

From: A9950.593715 Interfund Transfers \$20,510.48

To: H1620.450310 Interfund Transfers \$20,510.48

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 56-24 *APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
SOCIAL SERVICES*

WHEREAS: Prior year Safe Harbor Grant funds were re-established for the remaining unspent balance as of year-end 2023 for purchase completion in 2024; and

WHEREAS: Legislative approval is needed to amend or modify budget and appropriate funds; therefore be it

RESOLVED: That the following funds be transferred and the 2024 budget be modified as follows:

From: A6010.540487 Program Expense	\$ 10,200
To: A6010.520200 Office Equipment	\$ 3,350
To: A6010.540010 Advertising Expense	\$ 6,850

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 57-24 APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
SOCIAL SERVICES

WHEREAS: The County of Tioga has received Federal 5311 funds granted by the Federal Transit Administration and the New York State Department of Transportation; and

WHEREAS: Federal Transit Administration and New York State Department of Transportation have granted these funds to be used to support mobility management services; and

WHEREAS: Tioga County has a contract with Rural Health Network of South Central New York to provide these services; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

A5630.430900 State Aid-Transportation	\$ 69,893.00
A5630.440900 Federal Aid-Transportation	\$ 559,138.00
A5630.540140 Contracting Services	\$ 629,031.00

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$629,031.00 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 58-24 *APPROPRIATION OF FUNDS*
2023-2024 NYS STOP DWI
HIGH VISIBILITY ENGAGEMENT GRANT
STOP DWI

WHEREAS: The NYS STOP-DWI Foundation Board has awarded a High Visibility Engagement grant of \$24,000 to Tioga County STOP-DWI; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That the 2023-2024 NYS STOP DWI High Visibility Engagement grant be appropriated as follows:

2023:

FROM: A3315-445890-CRK23 Federal Aid-Other Transp NPSP \$4,291.33

TO: A3315-540590-CRK23 Services Rendered-STOP DWI \$4,291.33

2024:

FROM: A3315-445890-CRK23 Federal Aid-Other Transp NPSP \$19,708.67

TO: A3315-540590-CRK23 Services Rendered-STOP DWI \$19,708.67

And be it further

RESOLVED: That appropriation be re-established for the remaining unspent balance as of year-end until the project is completed.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 59-24 TRANSFER OF FUNDS
2023 BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County is required to pay the full costs for Criminal Court Ordered Psychiatric Care for persons assigned Criminal Psychiatric services by Tioga County Courts; and

WHEREAS: Tioga County Mental Hygiene has received notice by New York State Office of Mental Health that a Tioga County resident was assigned these services, along with the required documentation and payment amount; and

WHEREAS: Tioga County Mental Hygiene has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Mental Hygiene 2023 budget be modified, and funds be transferred as follows:

From: A4310 510010 Salary Full Time	\$ 34,105.89
To: A4390 540590 Criminal Psychiatric: Services Rendered	\$ 34,105.89

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 60-24 *TRANSFER OF FUNDS*
 2024 BUDGET MODIFICATION
 COUNTY LIABILITY INSURANCE FUND

WHEREAS: The funds budgeted for 2024 for insurance premiums & insurance claims will not cover the current invoice for 2024 insurance premiums as well as additional costs that may occur during the year; and

WHEREAS: Funds will need to be transferred from the Tioga County Contingency account to accommodate the increased amount in insurance premiums and additional costs; and

WHEREAS: Amending of the 2024 Budget and the appropriation of Contingent accounts requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a budget transfer from the Contingency account as follows:

From: A1990.540715 Contingency Transfer	\$ 75,000.00
To: CI1910.540270 Insurance Premiums	\$ 75,000.00

And be it further

RESOLVED: That the Tioga County Legislature authorizes an interfund transfer from the general fund to the liability fund as follows:

From A9901.590715 Interfund Transfer	\$ 75,000.00
To: CI1910.450310 Interfund Transfer	\$ 75,000.00

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 61-24 *AUTHORIZE BOARD OF ELECTIONS BUDGET
TRANSFER TO PAY ELECTION INSPECTORS*

WHEREAS: Budget transfers between expense account types must be approved by resolution; and

WHEREAS: The Tioga County Board of Elections 2024 budget for Election Inspector pay currently exists in an operating expense account (54) rather than a salary expense account (51); and

WHEREAS: As of January 1, 2024, Tioga County considers all Election Inspectors county employees, and county employees must be paid out of a salary expense account; therefore be it

RESOLVED: That the Board of Elections is authorized to execute a budget transfer as follows:

FROM:	A1450 540143	Election Inspectors	\$123,318.00
FROM:	A1450 540143-EV	Election Inspectors - Early Voting	\$ 32,400.00
TO:	A1450 510020	Part Time/Temporary	\$155,718.00

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 62-24

*FILING OF AN APPLICATION FOR HOUSEHOLD
HAZARDOUS WASTE STATE ASSISTANCE PROGRAM*

WHEREAS: The State of New York announced a grant from the DEC Household Hazardous Waste (HHW) program to assist counties and local governments with their household hazardous waste program expenses; and

WHEREAS: Through this grant Solid Waste would be partially reimbursed for their eligible costs of their HHW program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grant via NYS Grants Gateway; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the application via Grants Gateway for grant upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 63-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO PURSUE A GRANT KNOWN AS NY FOOD FEEDING NY FAMILIES*

WHEREAS: The USDA Agriculture and Marketing Service through the NY State Department of Agriculture is offering a \$250,000 grant that will run from May 1, 2024 to August 31, 2025; and

WHEREAS: The goals of this program are to support local and traditionally disadvantaged farmers/producers by building and expanding economic opportunities and creating new market channels, establish and broaden partnerships between New York farmers/producers to improve food access for underserved communities by tailoring distribution to unique local challenges, producers and local food networks to ensure distribution of fresh nutritious foods in rural, remote and/or underserved areas, 85% of the monies will be used for the purpose of purchasing agriculture food products and distributing these products for free to underserved communities facing food insecurity by purchasing food from NY State farmers/producers, targeting socially disadvantaged farmers/producers; and

WHEREAS: We know that our veterans, military and their families, for the most part, do not use local food pantries or food banks in their communities for many reasons, one major reason is that they have pride and don't want neighbors to know they are struggling with food insecurities, and there are many small and struggling disadvantage farmers/producers in NY State, in particular veteran, Amish and persons of color who have limited means to gain access to farmers markets or larger distribution points. All of the food and products purchased through this grant will be used to help veterans, military and their families overcome food insecurities, without any requirements and free of charge; therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to pursue this grant application to establish and maintain a food purchasing and distribution program with the funds provided.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 64-24 *AWARD COURT ANNEX
HVAC CONSTRUCTION CONTRACT
PUBLIC WORKS*

WHEREAS: Tioga County has budgeted for the HVAC repairs to the Court Annex Building; and

WHEREAS: The Commissioner of Public Works received sealed bids on December 21, 2023 and the bid results were as follows:

Postler & Jaeckle Corporation, Endicott NY	\$290,200.00
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And

WHEREAS: Tioga County DPW has completed the review of the bids and finds the low bidder Postler & Jaeckle Corporation, Endicott, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Postler & Jaeckle Corporation, Endicott, NY not to exceed \$290,200.00 to be paid out of the following account:

H1620.520927.M7674 – Court Annex Renovation-ARPA

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 65-24 *AUTHORIZE LEASE EXTENSION WITH NYSEG
FOR TELECOMMUNICATIONS TOWER AND
EQUIPMENT ON BALLOU ROAD, TOWN OF TIOGA*

WHEREAS: Tioga County has a need to maintain the telecommunications tower, install a generator, propane storage tank, and replace the existing cabinet with a prefabricated communications shelter at property located in the Town of Tioga on Ballou Road and identified as tax map number 117.00-1-10; and

WHEREAS: The property the tower is located on belongs to New York State Electrical and Gas Corporation (NYSEG) and NYSEG has agreed to a ten (10) year lease extension from April 1, 2023 to March 31, 2033; and

WHEREAS: The Tioga County Legislature authorized leasing a portion of this property by way of Resolution No. 60-03 on March 11, 2003, and the extension of this lease by way of Resolution No. 86-13 on January 2, 2013; and

WHEREAS: The Tioga County Attorney has reviewed the lease extension and has approved to its form; therefore be it

RESOLVED: That Tioga County enter into a ten (10) year lease extension at fifteen hundred dollars (\$1,500 USD) plus twenty five percent (25%) of annual revenue received from renting antenna space to Zeta Broadband or any other assignees, affiliates, or subtenants; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair of the Legislature to sign the lease extension.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 66-24 *AUTHORIZING CHAIR OF THE TIOGA COUNTY LEGISLATURE TO SIGN DEAN CREEK PELTO AND PYLKAS DAM REHABILITATION PLANS*

WHEREAS: The Pelto and Pylkas Dams were authorized by a Pilot Watershed Program and were constructed in 1955 as high hazardous structures; and

WHEREAS: The sites provide attenuation of floods and protection of downstream structures; and

WHEREAS: The Tioga County Soil & Water Conservation District (SWCD), Tioga County, and the Town of Spencer are all local sponsors for the project; and

WHEREAS: The structures do not meet current NYSDEC or NRCS safety and performance criteria for a high hazard dam; and

WHEREAS: Tioga County SWCD received funding from NRCS to develop rehabilitation plans for both dams and these plans have been completed, identified a preferred alternative, and costs associated with constructing these alternatives, including design, permitting, etc., and the total costs were \$7,283,220; and

WHEREAS: NRCS has a program to cover a portion of the rehabilitation costs in the amount of \$5,124,870, leaving \$2,158,350 to the local sponsors to cover; therefore be it

RESOLVED: That the Tioga County Legislature is accepting the rehabilitation plans for both Pelto and Pylkas Dams; and be it further

RESOLVED: That the rehabilitation plans are not a funding obligating document, and carrying out the rehabilitation plans is contingent upon the availability of local funding; and be it further

RESOLVED: That this resolution take effect immediately and authorizes the Chair of the Tioga County Legislature to sign the plan documents.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 67-24 *UTILITY EASEMENT WITH NEW YORK STATE ELECTRIC
& GAS AND TIOGA COUNTY*

WHEREAS: New York State Electric & Gas (NYSEG) is requesting an easement for tree work and to bring 3-phase power for the New York Power Authority's Fast Charging Stations located at the Courthouse parking lot owned by Tioga County (Tax Parcel ID # 128.08-6-81); and

WHEREAS: Currently there is not enough power capable of powering NYPA's Fast Charging Stations; and

WHEREAS: It is proposed that Tioga County grant an easement for NYSEG to bring 3-phase power and complete said tree work; and

WHEREAS: Said work and utility easement shall not interfere with the use of the land for county purposes; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair to sign the utility easement between NYSEG and Tioga County upon its approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 68-24 *AUTHORIZATION TO ENTER INTO A FIVE (5) YEAR AGREEMENT WITH MUNICIPALITIES TO ACCEPT HOUSEHOLD ELECTRONIC WASTE FROM TIOGA COUNTY RESIDENTS*

WHEREAS: In January of 2015, New York State banned consumers from disposing of certain types of electronic waste in landfills, waste-to-energy facilities, in the trash, or at curbside for trash pickup; and

WHEREAS: Due to this ban, the only disposal point for such waste is through the Tioga County Household Hazardous Waste program which requires electronic waste be brought to the Broome County Landfill; and

WHEREAS: To provide alternative drop off sites the Department of Solid Waste will pay for the recycling costs for acceptable household electronic waste brought to a participating Tioga County municipality either during a public clean up event or at an agreed upon permanent drop off location which they sponsor for their residents; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair of Tioga County or their designee to enter into agreements with participating municipalities as approved by the County Attorney for up to five (5) years to provide for electronic waste drop off sites.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 69-24 RESOLUTION TO APPROVE A GRANT AWARD FROM NYS DIVISION OF CRIMINAL JUSTICE FOR COUNTY PRE-TRIAL SERVICES

WHEREAS: The Probation Department received a Grant Award from the New York State Division of Criminal Justice Services for the County Pre-Trial Services in the amount of \$60,000; and

WHEREAS: This funding must be accepted and appropriated: therefore it be

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2024 Budget be modified and funds be appropriated to the following accounts:

FROM:	A3140-433100 CPS01 State Aid Probation	\$60,000.00
TO:	A3140 520090 CPS01 Computer- CPS	\$22,801.87
	A3140 540660 CPS01 Telephone (Service 5 yrs.)	\$29,632.20
	A3140 540220 CPS01 Automobile Fuel	\$ 2,165.93
	A3140 540140 CPS01 Contracting Services (EM)	\$ 5,400.00

And be it further

RESOLVED: That appropriations be re-established for the remaining unspent balance as of year-end until projects are completed.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 70-24 *AUTHORIZE CONTRACT FOR
CONSULTANT SERVICES
(PERSONNEL DEPARTMENT)*

WHEREAS: Legislative approval is required to contract for professional services; and

WHEREAS: The Benefits Manager position became vacant on January 26, 2024 due to a resignation; and

WHEREAS: There is a need to contract with the recently retired Benefits Manager for continuity of operations and training of the successor; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Personnel Officer to contract with Amy Poff for consulting services at the rate of \$50.00 per hour, not to exceed 15 hours per week, from February 13, 2024 through December 31, 2024; and be it further

RESOLVED: That Ms. Poff will submit invoices for payment on a monthly basis.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standingier.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 71-24 *AUTHORIZE APPOINTMENT OF
BENEFITS MANAGER
(PERSONNEL DEPARTMENT)*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Benefits Manager position became vacant with the announced resignation of the current Benefits Manager, Alexander Freyvogel effective January 26, 2024; therefore be it

RESOLVED: That the Personnel Officer is authorized to provisionally appoint Camille Mattison-Corneby to the title of Benefits Manager, pending successful completion of civil service examination requirements at an annual, Management/Confidential salary of \$54,354.00, retroactive to February 12, 2024.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standingier.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 72-24

*AUTHORIZE APPOINTMENT OF
SECRETARY TO THE PERSONNEL OFFICER
(PERSONNEL DEPARTMENT)*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: Due to a resignation and a promotion within the department, the Personnel Officer has reviewed work assignments, staffing structure, and future succession training needs within the department for the administration of Civil Service, and benefits; and

WHEREAS: The Personnel Officer has identified a desirable candidate; therefore be it

RESOLVED: That Christie Farnham is appointed to the title of Secretary to the Personnel Officer, at an annual, Management/Confidential salary of \$41,528.00, retroactive to February 12, 2024.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 73-24 *AUTHORIZE APPOINTMENT OF
 COMMUNITY DEVELOPMENT SPECIALIST IN THE
 ECONOMIC DEVELOPMENT & PLANNING
 DEPARTMENT*

WHEREAS: Legislative approval is required for any appointment to a Management Confidential position within Tioga County; and

WHEREAS: The Director of Economic Development & Planning (ED&P) has conducted a recruitment search for the Community Development Specialist and has identified a candidate; and

WHEREAS: The Community Development Specialist position has been vacant since September 13, 2023; and

WHEREAS: The Community Development Specialist position funding is included in the ED&P 2024 budget; therefore be it

RESOLVED: That the Director of Economic Development & Planning is hereby authorized to appoint Sean Lanning to the position of Community Development Specialist at an annual Management Confidential salary of \$57,009 effective

February 26, 2024, in accordance with payroll processing standards; and be it further

RESOLVED: That said appointment shall be provisional, pending the outcome of a civil service examination.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 74-24 *AUTHORIZE APPOINTMENT OF
DIRECTOR OF EMERGENCY SERVICES
(DEPARTMENT OF EMERGENCY SERVICES)*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Director of Emergency Services position became vacant with the announced resignation of the current Director of Emergency Services, Michael Simmons effective February 6, 2024; and

WHEREAS: Corinne Cornelius has been serving as Deputy Director of Emergency Services since January 3, 2023; therefore be it

RESOLVED: That Corinne Cornelius is appointed to the title of Director of Emergency Services at an annual Management/Confidential salary of \$72,965.00, retroactive to February 12, 2024; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Cornelius shall serve a probationary period of eight to fifty-two weeks.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth one late-file resolution for Legislature consideration, seconded by Legislator Brown. Motion carried.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 75-24 *ADOPT STRATEGIC OPERATIONS PLAN*

WHEREAS: The Tioga County Legislature recognized the need for a new Strategic Plan and authorized the submission of an Appalachian Regional Commission (ARC) Grant in an amount not to exceed \$50,000 with a 50% required match from Tioga County via Resolution No. 167-22 adopted on June 14, 2022; and

WHEREAS: The Tioga County Legislature accepted the Appalachian Regional Commission grant for \$25,000 via Resolution No. 149-23 adopted on April 11, 2023; and

WHEREAS: TransPro was selected as the consultants to prepare Tioga County's 2023 Strategic Plan via Resolution No. 186-23 adopted on May 9, 2023; and

WHEREAS: TransPro gathered information from the Legislature and Department Heads through a series of meetings and correspondence; and

WHEREAS: TransPro delivered a final draft to the Tioga County Legislature, which has been reviewed by the Legislators and Department Heads; therefore be it

RESOLVED: That the Tioga County Legislature adopts the final Strategic Plan document.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:14 P.M.

Public Hearing
Annual Agricultural District Inclusion
February 22, 2024

The Public Hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2024 was called to order by the Chair at 10:00 A.M. Eight Legislative members were present with Legislator Weston being absent.

There were seven people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Elaine Jardine, County Planning Director, of the Economic Development & Planning Department spoke. "This year the Planning Department received two (2) requests; one from Gary Demming in the Town of Tioga who produces corn, soybeans, and oats for 25.02 acres and the second one from Jacob Reeves, Little Creek Farm, in the Town of Owego who raises pigs, beef cattle, and poultry and also sells the meat from the livestock for 25.87 acres for a total of 50.89 acres added to the overall Agricultural Districts. The 25.02 acres in the Town of Tioga will be in the Spencer Agricultural District #1 and the 25.87 acres in the Town of Owego will be in the Owego/Nichols Agricultural District #2. The Ag & Farmland Protection Board met yesterday and passed a resolution to recommend approval for these inclusions, which this Legislature will address in March 2024."

Legislator Mullen spoke. "I know that the County's Real Property Department has been sending out notifications to all the people that are already in the Agricultural Districts and advising them that their property tax savings/rebate is payable back if they take the designated property out of agricultural use and that includes putting a solar farm on their property. I applaud Director of Real Property Palinosky for doing that as this is important as we work our way through the increased number of requests for solar farms, which many of them are located on agricultural district property. Property owners are unaware that property taxes are due upon the property being turned over for a commercial use."

County Planning Director Jardine spoke. "We actually started the process and then turned it over to Real Property, as we felt it would be better heard if it came through the Real Property Department. The Real Property Director has the relationship with the assessors and was able to include the notice with the ag assessment renewals that went out in January."

There being no further comments, the hearing was adjourned at 10:04 A.M.

Public Hearing
NYS CDBG Microenterprise Grant Application
February 22, 2024

The Public Hearing on New York State Community Development Block Grant (CDBG) Microenterprise Grant Application was called to order by the Chair at 10:05 A.M. Eight Legislative members were present with Legislator Weston being absent.

There were seven people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Megan Schnabl, Economic Development Specialist, of the Economic Development & Planning Department spoke. "Tioga County Economic Development & Planning is working with Thoma Development to prepare an application to the Community Development Block Grant (CDBG) Microenterprise Program. We will be applying for \$215,000 of which \$170,000 will be available to microenterprises and \$45,000 will be for administration fees. We tend to work with Thoma Development to administer the program. To provide a little more about the program, a microenterprise is a small business with less than five employees. Fifty percent (50%) of the grant funds must be awarded to startup businesses and the maximum award per business is \$35,000. We receive requests all the time from small businesses looking for grant funds and we do not really have anything available to them, so that is why we are pursuing this. The applications are on a rolling basis, so this is the first step in the application process."

Legislative Chair Sauerbrey spoke. "To be clear, this is a grant that comes from the Federal government through the State to local municipalities. Can anyone apply for this grant and administer this type of program?"

Megan Schnabl, Economic Development Specialist spoke. "A municipality has to apply for the grant and then the funds can be disbursed to microenterprise businesses through the local governmental municipality. There will be a selection committee with established criteria that businesses will need to meet as well as submitting a business plan for consideration. Only "for profit" businesses will be eligible to receive the grant funding."

County Attorney DeWind spoke. "I would like to say for the record that as the County's Fair Housing Officer, one of the hats that I wear, anything that is Community Development Block Grant (CDBG) implicates some of the fair housing programs, so we remain committed to following the principles of fair housing

including my role in helping to assist people to submit to the correct authority any fair housing complaints. This does not really implicate any housing per se, but we do make sure that we are compliant with that part of it and just want to put it on the record as part of our outreach we also have a section on our website that addresses fair housing."

Legislator Standinger spoke. "How did you select Thoma Development? Is this considered a professional service?"

Megan Schnabl, Economic Development Specialist spoke. "They have a lot of experience in working with these types of grants and they administer a lot of these grants for other counties in the region."

County Attorney DeWind spoke. "Yes, this is considered a professional service."

Elaine Jardine, County Planning Director spoke. "We have spoken with Rich Cunningham, Principal at Thoma Development, several times about this in preparation of the application."

There being no further comments, the hearing was adjourned at 10:12 A.M.

Third Regular Meeting
March 12, 2024

The Third Regular Meeting of 2024 was held on March 12, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger were present with Legislator Weston being absent.

Today's Legislative meeting commenced with a press event on the front lawn of the Ronald E. Dougherty County Office Building for the presentation of the Bell of Sessions proclamation and recognition of County Historian Emma Sedore Day.

Chair Sauerbrey spoke. "I want to thank everyone for coming today. This is a very special day in history; a very special day where we get to honor Tioga County Historian Emma Sedore. It is very fitting that today we recognize Emma Sedore as it is Women's History Month and the reason we have the Bell of Sessions is because of Emma. We are very happy to have the Tioga County Chamber of Commerce here with us today. If anyone knows me, you know I am a fan of the Tioga County Chamber of Commerce having spent fifteen years working for that organization. So, I would like to welcome President and CEO Sabrina Henriques and thank her for today's ribbon cutting ceremony of the official inauguration of the Bell of Sessions return to Tioga County. I see so many people here. So many people that love history. People that have worked with Emma over the years and it is just a blessing to have Emma here today."

Legislator Mullen read and presented the ***Bell of Sessions/Emma Sedore Day proclamation*** to County Historian Emma Sedore.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The Tioga County Legislature recognizes the importance of preserving our County's historical artifacts to remember and honor those involved, as well as educate future generations; and

WHEREAS: Tioga County Historian Emma Sedore dedicated countless hours researching and locating one of Tioga County's notable historical artifacts; the Bell of Sessions; and

WHEREAS: In 1823, the first Tioga County Courthouse was built in Owego, New York and in 1855 improvements were made to the building including a cupola for a bell; and

WHEREAS: On November 16, 1855, the Board of Supervisors approved the sum of \$300.00 be raised for the purpose of procuring a suitable courthouse bell and the

Clerk of the Board was authorized to purchase the bell to be properly hung in the cupola of the courthouse, as documented in the official Journal of Proceedings; and

WHEREAS: The actual cost of the bell was only \$200.00 due to the foundry granting a discount because of failure to enter the last digit of the year for a complete year date on the bell and only scribed 185 that should have been the year 1855 or 1856; and

WHEREAS: In 1868, the courthouse was declared unsuitable for legal business and in 1869 a committee was appointed to discuss building a new courthouse; and

WHEREAS: In 1871, the Village of Owego deeded a plot of land on the public square for Tioga County to build a new courthouse, which was erected in 1872-1873. After the construction of the new courthouse, the bell was removed from the first courthouse and installed in the southwest tower and used as the Bell of Sessions on November 25, 1873; and

WHEREAS: In 1877, the first courthouse was torn down, and the site was used to build the new Sheriff's residence; and

WHEREAS: In 1931, the Board of Supervisors determined the towers on the 1872 courthouse were in disrepair and too costly to rebuild back to their original design, therefore, the towers were lowered; and

WHEREAS: The Village of Owego Board of Trustees requested the Bell of Sessions be loaned to the Village of Owego and placed in the Croton Hose Co. No. 3 fire station on Talcott Street to be used as the fire bell with the stipulation that it is to be returned to the County of Tioga, upon request of the Tioga County Board of Supervisors, or at such time the Croton Hose Co. No. 3 fire station deemed the bell was no longer needed; and

WHEREAS: On October 15, 1952, the Lounsberry Methodist Church in Nichols, New York was destroyed by fire; and

WHEREAS: On December 17, 1952, Croton Hose Co. No. 3 approved the removal of the bell with a replacement siren; and

WHEREAS: The Croton Hose Co. No. 3 meeting minutes of April 29, 1953 indicated the fire station recommended donating the bell to a worthy church who does not have a bell; and

WHEREAS: The Croton Hose Co. No. 3 meeting minutes of May 27, 1953 indicated the bell was offered to and accepted by the Lounsberry Church in Nichols, New York for the rebuilding of their church that was completed in 1955. The Lounsberry Church held its opening in the rebuilt church on April 3, 1955 and the souvenir

booklet recognized the Owego Fire Department for the donation of the church bell; and

WHEREAS: Due to the tenacious efforts of County Historian Sedore in researching the historical path of the bell and the Tioga County Public Works Department for removing and transferring the bell, the Bell of Sessions was returned home to Tioga County on February 5, 2024 and is now displayed at the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY; and

WHEREAS: The Legislature is extremely pleased the Bell of Sessions has not only been found, but returned to the County; and

WHEREAS: The Legislature wishes to express their appreciation to Emma Sedore for her unending determination and research that located the Bell of Sessions; therefore as an act of honor and appreciation

THE TIOGA COUNTY LEGISLATURE does hereby proclaim March 12, 2024 as **Emma Sedore Day** in recognition of her 23 years of steadfast dedication to Tioga County and her passion for preserving Tioga County's history.

Legislator Mullen spoke. "Emma, I present this proclamation to you, and I do not want you to give it to anybody so that sometime in the future someone will have to take three years to find it. So, put this proclamation some place safe and keep it.

"I would like to say a few words about what actually transpired. A couple of years ago, Emma came to the Legislature and was adamant that the bell in the Lounsberry Methodist Church was the County's Bell of Sessions. As a retired police officer and having been a police chief, I would hire Emma tomorrow to be an investigator because her report and investigation was meticulous. I cannot agree more with the statement of 'how do you know where you are from?' From where you are from to what has gone on in the past. The people are the history. That Bell of Sessions represents our history. History is today, it's tomorrow, and it's forever and that Bell of Sessions is back home because of one person in this County and that is Emma Sedore. So, thank you very much. It is very appreciated. The only thing we are all worried about is that you cannot retire yet even though I know it is getting close. We do appreciate all that Emma has done for us."

County Historian Emma Sedore spoke. "Thank you, Legislator Mullen. First, I want to thank the Legislature and Chair Sauerbrey for giving me the privilege of being the Tioga County Historian because I never considered it a job. It is just a wonderful experience that anybody can have, and I enjoy it. When I find something interesting to follow that is what I usually do. Sometimes it takes a while like it took me 23 years to figure this out. I started researching the Bell of Sessions in 1997 when I was reading a newspaper at the Tioga County Historical Society Museum and the article

that caught my eye was when they were lowering the towers and I thought that was interesting. But when I read that they were going to move the Bell of Sessions out of one of the towers I did not know what a Bell of Sessions was at the time. Once I started to figure it out then I had to follow it and I got to the point where I wanted to see it. When I found out that it did go to Croton Hose Co. No. 3 fire station but that they did not need it after 1952, I thought I am going to see it, but they did not have it, so that started my long journey to search for the Bell of Sessions. It has been wonderful. Towards the end of my search, I called the church secretary and asked her if she could look into the church archives and see if there is any information she could tell me regarding the church bell. She told me the minutes were destroyed in the 2006 Flood and furthermore stated that one of the trustees truly believed that the church bell came from a church that was flooded over in the Cannonsville Reservoir. When I heard that it did not make a bit of sense to me, and she said she also believed it. So, when I hung the phone up, I thought that has to be the Bell of Sessions from the Owego Fire Department. I called her back and said, 'Maryanne, you know how you look for something one time and look really hard and cannot find it, would you look one more time for me. Not only that, but if you find something or find the answer whether it is the Cannonsville Reservoir or not, I will make a donation to your church'. Well, what do you know, I got a phone call about a week later and she just happened to think of somebody who had a souvenir brochure that was passed out at the rededication of the church, and it listed all the donors that donated to rebuild the church. On page 3, line 15 of the brochure, it said Owego Fire Department church bell. I nearly fell off the kitchen chair. I was so pleased to see that brochure and I told the Legislature and recommended they write a resolution so they could give it to the Lounsberry Methodist Church to let them know that the church bell definitely is the Bell of Sessions that belongs to Tioga County and that it must be returned to us if they do not need it any longer or for any other reason. So, I thought we did not get the Bell of Sessions back, but it is up in the steeple, and it is safe. Last summer, the church closed its doors, and it definitely did not need the church bell any longer. So, our wonderful Legislature took it upon themselves to go into action and find a company that could remove the church bell. On Monday, February 5, 2024, I went to the former Lounsberry Methodist Church, and I watched them take the church bell out of the steeple and it was the biggest thrill I think I have had in a long time. The Bell of Sessions was returned to Tioga County and is displayed here today at the Ronald E. Dougherty County Office Building. I cannot think of a better place they could have put it to tell you the truth. I have heard some people say they should put it on the courthouse lawn, but I said this is the perfect place for it. I want to thank everybody again. It is a real thrill for the Legislature to honor me today and to have all of you show up too. I hope that you did learn a little history about the Bell of Sessions. Thank you."

Chair Sauerbrey spoke. "This would not be a proper event without the ringing of the Bell of Sessions."

Tioga County Historian Emma Sedore rang the Bell of Sessions, and the remainder of today's Legislative meeting reconvened in the Hubbard Auditorium.

Chair Sauerbrey asked Legislator Ciotoli to have a moment of prayer. "Dear Heavenly Father, we thank you for allowing us to gather today and we ask for your guidance as we make decisions for the people of Tioga County."

Legislator Ciotoli led all Legislators and those in attendance in the Pledge of Allegiance.

There were 34 people in attendance.

Chair Sauerbrey reported we have two Proclamations; **Bell of Sessions/ Emma Sedore Day** that was read earlier at today's press event and **Public Health Week (April 1-7, 2024)** that will be noted for the minutes.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: The residents of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of diseases; and

WHEREAS: Public Health efforts alone cannot accomplish the goal of a healthier Tioga County. Everyone has an important role to play in our efforts to achieve healthier, safer, and stronger communities; and

WHEREAS: Members of the community can make a difference and show their support for important public health topics by encouraging their friends and family to vote, taking steps to reduce waste, and utilizing credible sources for health information; and

WHEREAS: Each one of us needs to do our part by taking personal responsibility to improve behaviors by following public health recommendations, such as: abstaining from tobacco use; staying up to date on vaccinations; making time for regular, safe physical activity; and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, providing services for children with developmental delays, ensuring safe living conditions, enforcing

environmental health regulations, and providing dental services to underserved families; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 1 – 7, 2024 as:

PUBLIC HEALTH WEEK

and urges all residents to take an active role in Public Health efforts within their community through advocacy, education, and collaboration.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of February 13 and 22, 2024, seconded by Legislator Mullen and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger introduced Local Law Introductory No. A of 2024.

Legislator Standinger spoke. "As a certified hunter safety instructor, I can say that the young hunters are probably the safest ones in the woods. They do not have bad habits like older hunters do, myself included, I am sure. I think this is a positive thing."

Local Law Filing	New York State Department of State 41 State Street, Albany, NY 12231
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County of Tioga

Local Law No. XX of the Year 2024.

A Local Law authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: LEGISLATIVE INTENT

New York State Department of Environmental Conservation's (NYSDEC) Youth Deer Hunting Pilot Program (Environmental Conservation Law Section 11-0935) has been extended from December 31, 2023 to December 31, 2025. Tioga County previously participated in this pilot program by way of Local Law No. 3 of 2021 with a sunset

date of December 31, 2023. It is the intent of this Local Law to authorize Tioga County to permit twelve (12) and thirteen (13) year-old individuals to participate in the extension of the NYSDEC Youth Deer Hunting pilot program in accordance with Environmental Conservation Law §11-0935. NYSDEC's Report to the New York State Senate and Assembly *Deer Hunting by 12-and 13-Year-Old Hunters dated February 1, 2024*, found the statewide program to be a success with 52 out of NYS's 54 eligible counties participating during the first three years of the pilot program. During the two-year program, over 9,600 youth hunters participated. On safety, the report states, "no hunting-related shooting incidents, violations, or license revocations involving 12- and 13-year-old hunters were reported/occurred during the first two years of the pilot program" further determining that "youth hunters are the safest group of hunters."

The enacted 2023-2024 New York State Budget extended the pilot program allowing counties to opt-in by way of Local Law to provide an opportunity for young hunters, ages twelve (12) and thirteen (13), to continue to hunt deer with firearms and crossbow through 2025 if a county authorizes such action within their municipality. Tioga County is passing this Local Law, as hunting is a valued tradition for many families and this continued opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

SECTION 2: PILOT PROGRAM AUTHORIZATION

Pursuant to Environmental Conservation Law, ECL §11-0935, Tioga County elects to participate in the extended pilot program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025.

SECTION 3: STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- A. Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- B. Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a crossbow during the times when other hunters may use crossbows; and

- C. Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- D. All licensed twelve (12) and thirteen (13) year old hunters, as well as their adult supervisors, shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- E. All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- F. Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year olds with a firearm or crossbow.

SECTION 4: LOCAL LAW FILING REQUIREMENTS

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the New York State Department of State.

SECTION 5: SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION
RESOLUTION NO. 76-24 SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY NO. A OF 2024

RESOLVED: That a Public Hearing shall be held on Thursday, March 21, 2024 at 10:00 A.M. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY 13827 on Local Law Introductory No. A of 2024 A Local Law Authorizing Twelve (12) and Thirteen (13) Year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed Hunter. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE
RESOLUTION NO. 77-24 RE-APPOINT MEMBER TO BOARD OF ETHICS

WHEREAS: Charles Davis's first term on the Ethics Board expires as of March 31, 2024; and

WHEREAS: Charles Davis, a resident of Tioga County, has expressed an interest and willingness to serve another term on the Board of Ethics; therefore be it

RESOLVED: That Charles Davis is hereby re-appointed to the Board of Ethics for a second term beginning April 1, 2024 through March 31, 2027.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 78-24 *RE-APPOINT MEMBER TO BOARD OF ETHICS*

WHEREAS: Clifford Balliet Jr.'s first term on the Ethics Board expires as of March 31, 2024; and

WHEREAS: Clifford Balliet Jr., a resident of Tioga County, has expressed an interest and willingness to serve another term on the Board of Ethics; therefore be it

RESOLVED: That Clifford Balliet Jr. is hereby re-appointed to the Board of Ethics for a second term beginning April 1, 2024 through March 31, 2027.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 79-24 *AUTHORIZE 2024 REQUESTS FOR INCLUSION OF LANDS
IN AGRICULTURAL DISTRICTS*

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural landowners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received two requests for inclusion of land in agricultural districts; one located within the Spencer Agricultural District #1 for addition of 25.02 acres and one located within the Owego/Nichols Agricultural District #2 for addition of 25.87 acres totaling 50.89 acres, and prepared the required report listing these requests; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this modification plan will not result in any significant adverse environmental impacts via completion of the New York State Agriculture & Markets SEQR Short Environmental Assessment Form for Agricultural Districts, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the Districts and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature makes a SEQR Negative Declaration and approves the 2024 requests for inclusion of land listed in said report into the Spencer Agricultural District #1 and Owego/Nichols Agricultural District #2; and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification; and be it further

RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Spencer

Agricultural District #1 and Owego/Nichols Agricultural District #2 effective immediately.

Legislator Mullen spoke. "I appreciate Economic Development & Planning for their efforts on this and the Real Property Office for sending notification to all those enrolled in the agricultural program stating removal of property out of agricultural use is subject to back taxes. Specifically speaking to the growth of solar farms. I am glad to see that land is still being set aside for agricultural use in Tioga County."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 80-24 *AUTHORIZE INCREASE IN ADMINISTERING MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS APPROVED BY NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$151,948.20 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$151,948.20 for the period of April 1, 2023 – March 31, 2024; therefore be it

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$12,662.35 at a total annum amount of \$151,948.20.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 81-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in March, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

March 23 – Women's Veteran, Military & Caregiver Breakfast: Dwyer - \$2,000.00

March 26 – Grocery Giveaway: Dwyer - \$3,000.00

March 29 – Welcome Home Vietnam Veterans Day: Dwyer - \$3,500.00

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

Legislator Standinger spoke. "These funds are supplied from a grant, and I know that our Veterans Service Agency Director is very prudent in how he administers these funds. I think he has a bunch of worthwhile events here."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 82-24 *AWARD DESIGN SERVICES TO DELTA ENGINEERS FOR HVAC SYSTEM AT COUNTY OFFICE BUILDING*

WHEREAS: Tioga County has budgeted for the replacement of a portion of the HVAC system at the County Office Building at 56 Main Street; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for the design phase of the project is \$29,619; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for design services of the partial HVAC System Replacement at the County Office Building for Delta Engineers not to exceed \$29,619 to be paid out of the following account:

H1620.520911 Renovations 56 Main Street

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 83-24 *AWARD DESIGN SERVICES TO DELTA ENGINEERS FOR
HVAC CONTROLS AT ANNEX BUILDING*

WHEREAS: Tioga County has budgeted for replacement of the HVAC controls at the East Wing of the Annex Building; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for the design phase of the project is \$26,433; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for design services of the HVAC Controls Replacement at the Annex Building for Delta Engineers not to exceed \$26,433 to be paid out of the following account:

H1620.520927 Court Annex

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 84-24 AWARD GLENMARY DRIVE CULVERT PIN 9754.94
CONSTRUCTION CONTRACT

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: Funding is available for this portion of the project; and

WHEREAS: The Commissioner of Public Works received sealed bids on February 7, 2024 and the bid results were as follows:

Procon Contracting, LLC	\$ 308,803.00
Silverline Construction	\$ 387,593.50
Bothar Construction	\$ 387,991.00
JP Dugon Construction	\$ 396,550.00
Slate Hill Construction	\$ 419,816.00
R. DeVincentis Construction	\$ 454,000.00
Elliot Construction	\$ 468,979.00
ING Civil, Inc	\$ 477,400.00
Vector Construction	\$ 503,470.00
Byler Construction	\$ 629,830.00

And

WHEREAS: Tioga County DPW has completed the review of the bids and finds the low bidder Procon Contracting LLC, Vestal NY, meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Procon Contracting LLC, Vestal NY, not to exceed \$308,803.00 to be paid out of the following account: H5110.520003.H1008 – Culvert Replacement.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
HEALTH & HUMAN SERVICES COMMITTEE
FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. 85-24 AWARD CONSTRUCTION CONTRACTS
FOR THE WAVERLY ANNEX PROJECT

WHEREAS: The Commissioner of Public Works received sealed bids on February 7, 2024 for the Waverly Annex Office Renovations and the bid results were as follows:

General Trades:

F E Jones	\$502,000.00
Elmira Structures	\$523,000.00
Edger Enterprises	\$535,000.00
Daniel Lynch	\$609,000.00
Streeter Associates	\$618,000.00
Bionco Builders	\$653,910.00

Plumbing:

N J Graham Inc.	\$ 54,000.00
AFT Mechanical	\$ 56,875.00
Slavik & Co.	\$ 92,900.00
Kimble Inc.	\$ 98,800.00
Piccirilli Mechanical Inc.	\$132,000.00

HVAC Mechanical:

AFT Mechanical	\$374,142.00
Kimble Inc.	\$414,700.00
Slavik & Co.	\$450,900.00
Piccirilli Mechanical Inc.	\$452,000.00

Electrical:

John Mills	\$148,400.00
Schuler-Haas Electric Corp.	\$161,450.00

Blanding Electric Inc	\$188,500.00
Matco Electric Corp.	\$219,000.00

And

WHEREAS: Hunt Engineers has completed the review of the bids and has given their recommendations as follows:

For General Trades finds the low bidder F E Jones Construction, Inc., Binghamton, NY meets all of the qualifications of the bid specifications;

For Plumbing finds the low bidder N J Graham, Inc., Endicott, NY meets all of the qualifications of the bid specifications;

For HVAC Mechanical finds the low bidder AFT Mechanical LLC, Elmira, NY meets all of the qualifications of the bid specifications;

For Electrical finds the low bidder John Mills Electric, Inc., Elmira Heights, NY meets all of the qualifications of the bid specifications;

Therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bids as follows:
General Trades to F E Jones Construction, Inc., Binghamton, NY not to exceed \$502,000.00

Plumbing to N J Graham, Inc., Endicott, NY not to exceed \$54,000.00

HVAC Mechanical to AFT Mechanical LLC, Elmira, NY not to exceed \$374,142.00

Electrical to John Mills Electric, Inc., Elmira Heights, NY not to exceed \$148,400.00

And be it further

RESOLVED: That these contracts will be paid out of the following account:

H4310 520994 WVRLY	Building Construction	\$1,000,000.00
H4310 520004 ABATE	Leasehold Improvements	\$ 153,604.00
H4310 520994 ABATE	Building Construction	\$ 186,396.00

Legislator Standinger spoke. "It has been many years that this building has been available and our absent Legislator today, Dale Weston, was instrumental in initialing looking at it and I am sure he is pleased that it is moving along."

Legislator Mullen spoke. "I just want to echo Legislator Standinger's statement. It is located in my district and I know how hard Director of Community Services Morgan, the Department of Public Works, and the Village of Waverly have worked on this. But I do know that 15 years ago when the Village of Waverly remodeled the old Ithaca Street school that annex sat empty, and it was Legislator Dale Weston stating we need to put offices down there. I am very pleased for many reasons, but I do think this goes to the legacy of Legislator Dale Weston and his concern for the people on the westside of the County."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 86-24

*AUTHORIZE CONTRACT WITH LIBERTY RESOURCES
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Liberty Resources for Multi-systemic Therapy Services; and

WHEREAS: The Department of Social Services wishes to renew the contract for April 1, 2024 through March 31, 2025 in an amount not to exceed \$275,611; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Liberty Resources for Multi-systemic Therapy Services for the period April 1, 2024 through March 31, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$275,611 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO:	LEGAL/FINANCE COMMITTEE
	INFORMATION TECHNOLOGY COMMITTEE
	PUBLIC SAFETY COMMITTEE
	HEALTH AND HUMAN SERVICES COMMITTEE

RESOLUTION NO. 87-24	<i>AUTHORIZE EXECUTION OF COOPERATIVE AGREEMENTS BETWEEN THE LAW DEPARTMENT, ITCS, SHERIFF, DSS, PUBLIC HEALTH, AND MENTAL HYGIENE</i>
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WHEREAS: Tioga County has implemented a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services; and

WHEREAS: It may be necessary for the Budget Officer to make budget adjustments to reflect the budgeted amounts and year end actuals in the cooperative agreements between ITCS and DSS, Public Health and Mental Hygiene and to reflect the budgeted amount in the cooperative agreement between the Sheriff and DSS; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the ITCS Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute a Cooperative Agreement between the Sheriff's Department and DSS; and be it further

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval; and be it further

RESOLVED: That the Budget Officer is authorized to make budget adjustments to reflect the budgeted amounts and year end actuals in the cooperative agreements between ITCS and DSS, Public Health and Mental Hygiene and to reflect the budgeted amount in the cooperative agreement between the Sheriff and DSS.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 88-24

RESOLUTION TO APPROVE A SOLE SOURCE CONTRACT AND MAINTENANCE AGREEMENT BETWEEN THE TIOGA COUNTY PROBATION DEPARTMENT AND CATALIS COURTS & LAND RECORDS, LLC f/k/a AUTOMON LLC TO PROVIDE SOFTWARE AND MAINTENANCE OF THE CASELOAD EXPLORER PRODUCT

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and Catalis Court & Land Records, LLC f/k/a AutoMon LLC since 2008; and

WHEREAS: Catalis Court & Land Records, LLC f/k/a AutoMon LLC has changed their contract status with New York State, therefore the Tioga County Legislature is approving that the Probation Department can contract with Catalis Courts & Land Records, LLC f/k/a AutoMon LLC as a sole source provider of Caseload Explorer, a software program that meets the qualifications of 9 NYCRR 345, which mandates Probation Departments to use a software program that automatically sends Presentence Investigation completed in the software program to the DCJS PSI Repository in Albany, NY. Caseload Explorer software is the only software in New York State that meets this criteria; and

WHEREAS: Catalis Courts & Land Records, LLC f/k/a AutoMon, LLC has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$5,298.34, plus a fee of \$259.47 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for contract period of 3/25/2024 to 3/24/2025 is \$9,709.33; therefore be it

RESOLVED: That the Probation Director is approved to contract with Catalis Courts & Land Records, LLC f/k/a AutoMon, LLC as a sole source provider for software and maintenance costs in 2024 for Caseload Explorer and Ce Assessments in the amount of \$9,709.33.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE COMMITTEE

RESOLUTION NO. 89-24 ARPA PAYMENT AUTHORIZATION FOR
NEIGHBORHOOD DEPOT PROJECT
2024 BUDGET TRANSFER & APPROPRIATION
ECONOMIC DEVELOPMENT & PLANNING

WHEREAS: The Tioga County Legislature was presented with a need for funding from the Neighborhood Depot Project, a construction project located at 143 North Avenue in the Village of Owego (VOO) that will build a facility to house several non-profit agencies including Tioga United Way, Tioga County Rural Ministry, Catholic Charities of Tompkins Tioga, and the Racker Center; and

WHEREAS: Resolution No. 156-23 adopted on 04/11/2023 approved the available funds to be transferred and appropriated as needed by the Tioga County Legislature for the Neighborhood Depot project; and

WHEREAS: The Tioga County Legislature shall oversee and authorize all ARPA expenditures whether budgeted or not; and

WHEREAS: Upon the successful receipt and review of the One-Time ARPA request form, with both the Legislative Chair and the ARPA Fund Administrator granting their approval of the form, and the final review and approval being completed by the Tioga County Legislature via Certified Resolution; therefore be it

RESOLVED: That the 2024 Budget be modified, and funds be transferred and appropriated as follows; and be it further

RESOLVED: That a one-time payment be processed and paid by the Treasurer's Office to VID: 7924 Neighborhood Depot, Inc. from the following account:

FROM: A1680 540140 M7674 CONTRACTING SERVICES \$325,000

TO: A1340 540429 M7674 OUTSIDE SUPPORT \$325,000

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE/LEGAL COMMITTEE
HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 90-24 *EXECUTE LEASE OF PROPERTY LOCATED AT
32 ITHACA STREET, WAVERLY, NEW YORK TO HOUSE
MENTAL HYGIENE'S WAVERLY OFFICE*

WHEREAS: Tioga County wishes to lease office space within the Village of Waverly to house offices of the Tioga County Mental Hygiene Department and provide services to the western part of the County; and

WHEREAS: The County was unable to continue using its prior Waverly location and has now identified suitable space for these offices within the south wing of the Village of Waverly Hall located at 32 Ithaca Street; and

WHEREAS: The Village of Waverly is willing to lease the south wing to Tioga County for an initial period of fifteen years at the rate of \$12,000 per year paid monthly with said term to commence after the County completes interior renovations at its own expense; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease with the Village of Waverly for the lease of said office space located at 32 Ithaca Street, Waverly, New York.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 91-24 *EXECUTE ADDENDUM TO LEASE AGREEMENT OF PROPERTY LOCATED AT SOUTH APALACHIN ROAD, APALACHIN, NEW YORK TO INSTALL, HOUSE, AND MAINTAIN A COMMUNICATIONS TOWER*

WHEREAS: It is necessary for Tioga County to lease a portion of property (Leased Premises) to install, house, and maintain a communications tower and access road; and

WHEREAS: Timothy and Catherine Card, as Property Owners, entered into a Lease Agreement, per Resolution No. 312-23, with Tioga County effective the twenty-first day of September 2023, to lease a portion of their property to Tioga County; and

WHEREAS: Pursuant to the terms of the parties Lease Agreement the parties need to sign and accept an addendum to the lease agreement acknowledging receipt, review, and approval of professionally created surveys and descriptions representing the scope of work, installation, construction and maintenance of a fence, communications shelter, generator and access road on the leased premises; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease addendum with Timothy and Catherine Card for the property located at South Apalachin Road, Apalachin, New York.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 92-24 *EXECUTE ADDENDUM TO LEASE AGREEMENT OF
PROPERTY LOCATED AT 110 C BABCOCK ROAD,
NICHOLS, NEW YORK TO INSTALL, HOUSE, AND
MAINTAIN A COMMUNICATIONS TOWER*

WHEREAS: It is necessary for Tioga County to lease a portion of property (Leased Premises) to install, house, and maintain a communications tower and access road; and

WHEREAS: Chet Babcock, as Property Owner, entered into a Lease Agreement, per Resolution No. 315-23, with Tioga County effective the twenty-second day of September 2023, to lease a portion of their property to Tioga County; and
WHEREAS: Pursuant to the terms of the parties Lease Agreement the parties need to sign and accept an addendum to the lease agreement acknowledging receipt, review, and approval of professionally created surveys and descriptions representing the scope of work, installation, construction and maintenance of a fence, communications shelter, generator and access road on the leased premises; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease addendum with Chet Babcock for the property located at 110 C Babcock Road, Nichols, New York.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 93-24 *EXECUTE ADDENDUM TO LEASE AGREEMENT OF
PROPERTY LOCATED AT 54 DODGE ROAD, SPENCER,
NEW YORK TO INSTALL, HOUSE, AND MAINTAIN A
COMMUNICATIONS TOWER*

WHEREAS: It is necessary for Tioga County to lease a portion of property (Leased Premises) to install, house, and maintain a communications tower and access road; and

WHEREAS: Douglas Brock, as Property Owner, entered into a Lease Agreement, per Resolution No. 313-23, with Tioga County effective March 2024, to lease a portion of their property to Tioga County; and

WHEREAS: Pursuant to the terms of the parties Lease Agreement the parties need to sign and accept an addendum to the lease agreement acknowledging receipt, review, and approval of professionally created surveys and descriptions representing the scope of work, installation, construction and maintenance of a fence, communications shelter, generator and access road on the leased premises; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease addendum with Douglas Brock for the property located at 54 Dodge Road, Spencer, New York.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 94-24 EXECUTE ADDENDUM TO LEASE AGREEMENT OF PROPERTY LOCATED AT 246 DAVIS ROAD, TOWN OF RICHFORD, NEW YORK TO INSTALL, HOUSE, AND MAINTAIN A COMMUNICATIONS TOWER

WHEREAS: It is necessary for Tioga County to lease a portion of property (Leased Premises) to install, house, and maintain a communications tower and access road; and

WHEREAS: Andrew Hanson, as Property Owner, entered into a Lease Agreement, per Resolution No. 314-23, with Tioga County effective the twentieth day of September 2023, to lease a portion of their property to Tioga County; and

WHEREAS: Pursuant to the terms of the parties Lease Agreement the parties need to sign and accept an addendum to the lease agreement acknowledging receipt, review, and approval of professionally created surveys and descriptions representing the scope of work, installation, construction and maintenance of a fence, communications shelter, generator and access road on the leased premises; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease addendum with Andrew Hanson for the property located at 246 Davis Road, Town of Richford, New York.

Chair Sauerbrey spoke. "These four resolutions are a sign that our interoperable radio communications system is moving forward. These are the four locations where the new towers will be built, and this is very encouraging to see things happening now. Hopefully, by the end of the year we will have the system up and running to improve our communications."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 95-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON
FARMER BROWN SOLAR, LLC PAYMENT IN LIEU OF
TAX AGREEMENT*

WHEREAS: Farmer Brown Solar, LLC has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately 4.95 Megawatts AC; and

WHEREAS: The project location is situated on a portion of the property located at State Route 434, tax map # 130.00-2-66.111, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Tax (PILOT) Agreements with Farmer Brown Solar, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: Farmer Brown Solar, LLC has agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by Farmer Brown Solar, LLC following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and
WHEREAS: The first annual payment shall be in the aggregate amount of \$7,000 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two (2.0 %) percent per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Owego and mailed to the Town of Owego and are due no later than January 15th of each year; and

WHEREAS: The Town of Owego shall be responsible for distributing the annual payments to the County of Tioga; and

WHEREAS: The Taxing Jurisdictions have agreed that the said payments shall be disbursed to the Town of Owego and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between Farmer Brown Solar, LLC, the Town of Owego, and Tioga County.

Legislator Mullen spoke. "Thank you to ED&P Director Tinney and her team because it was a little complicated, but it got done and it was not easy so thank you."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 96-24 *AMEND RESOLUTION NO. 447-23*
AUTHORIZE ACCEPTANCE OF
NYS 2023 PSAP OPERATIONS GRANT

WHEREAS: Resolution No. 447-23 adopted on November 14, 2023 authorized the acceptance of Interoperable and Emergency Communications PSAP Operations grant in the amount of \$109,805; and

WHEREAS: There was an error in the amount to be receipted to Revenue Account A3020.433310; therefore be it

RESOLVED: That the 2023 budget be modified to reflect this state aid and that this funding be receipted with the following revenue account.

Revenue Account: A3020 433310 \$109,805

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 97-24 *AMEND RESOLUTION NO. 58-24*
 2023-2024 NYS STOP DWI HIGH VISIBILITY
 ENGAGEMENT GRANT
 STOP DWI

WHEREAS: The appropriations for the 2023-2024 NYS STOP DWI High Visibility Engagement grant in Resolution No. 58-24 were incorrect due to missing general bills in Munis for claims placed in 2023; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That the 2023-2024 NYS STOP DWI High Visibility Engagement grant appropriations be corrected as follows:

2023:

FROM: A3315-445890-CRK23 Federal Aid-Other Transportation \$6,824.51

TO: A3315-540590-CRK23 Services Rendered \$6,824.51

2024:

FROM: A3315-445890-CRK23 Federal Aid-Other Transportation \$17,175.49

TO: A3315-540590-CRK23 Services Rendered \$17,175.49

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 98-24 APPROVE FUNDING
2024 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2024 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year October 1, 2023 – September 30, 2024 be approved by the Tioga County Legislature in the amounts indicated:

Catholic Charities	\$5,000
Cornell Cooperative Extension At-Risk Youth Apprenticeship	\$9,400
Cornell Cooperative Extension Family Resource Center	\$1,160
Kali's Klub House 7 Keys to Success	\$4,600
Lions Camp Badger	\$5,600
Northern Tioga Summer Recreation	\$4,340
Spencer-VanEtten PAVE	\$1,200

Tioga County Council on the Arts	\$3,700
Tioga Opportunities	\$5,000
Town of Owego Summer Recreation	\$6,500
Tioga County Youth Bureau dues (required)	\$ 100
Total Youth Development Program Funds	\$46,600
Lions Camp Badger	\$6,200
Northern Tioga Summer Recreation	\$2,660
Tioga County Boys & Girls Club – Youth Sports & Education Funds	\$7,433
Waverly Recreation	\$4,000
Total Youth Sports & Education Opportunity Funds	\$20,293
Tioga Central Field Hockey Club	\$10,344
Total YSEF Infrastructure Funds	\$10,344
Tioga Central Field Hockey Club	\$6,518
Tioga County Boys & Girls Club	\$12,309
Waverly Recreation	\$5,000
Total Youth Team Sports Funds	\$23,827
GRAND TOTAL	\$101,064

Legislator Mullen spoke. "I just want to echo the statement I made in the Health and Human Services Committee meeting. For example, we do this all the time. We give thousands for this and that. I am the father of a profoundly disabled adult son and I know what it is like to raise a child like that and have to live with someone with a severe disability in your home. The Lions Camp Badger gives people like my wife and I a break. Sometimes we see these numbers come through and we really do not know what it is for, but with all the things we do in government, these are the things that I am most proud of."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 99-24 AMEND 2024 BUDGET & TRANSFER FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) uses a Lead Paint Analyzer in their Lead Poisoning Prevention Program; and

WHEREAS: The Lead Paint Analyzer is used to identify the source of elevated blood levels in children; and

WHEREAS: TCPH has recently learned their existing Lead Paint Analyzer no longer meets the required standards and is not able to be recertified; and

WHEREAS: TCPH has identified a replacement Analyzer that it wishes to purchase; and

WHEREAS: TCPH has funds available in their 2024 Capital budget, yet requires transfer to appropriate budget lines; and

WHEREAS: TCPH will be eligible for State Aid reimbursement; and

WHEREAS: Amending of Budget and Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows;

From: H4011 520060	Car/Truck	\$ 17,380
To: H4011 520130	Equipment (not car)	\$ 17,380

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 100-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has been awarded funding for their Medical Reserve Corps (MRC); and

WHEREAS: The funding is titled *MRC Strong*, and originates from federal funds (Administration for Strategic Preparedness and Response) which New York State Department of Health passes-through to TCPH; and

WHEREAS: The funding is for the strengthening of the MRC within Tioga County; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From:	A4011 444010-MRC	Federal Aid-PH MRC	\$ 12,100
To:	A4011 540487-MRC	Program Expense	\$ 12,100

And be it further

RESOLVED: That the balance of this funding on 12/31/2024 be carried forward into the 2025 budget in the same budget lines.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 101-24 AMEND BUDGET & APPROPRIATION OF FUNDS
PUBLIC HEALTH

WHEREAS: Legislative Resolution No. 518-23 authorized Tioga County Public Health (TCPH) to apply for a New York State Association of County Health Officials (NYSACHO) grant; and

WHEREAS: TCPH has been awarded the grant; and

WHEREAS: The funding is designated for the TCPH Tick-Borne Diseases program related expenses; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053 422800-TICK Grant -PH TICK \$3,000

To: A4053 540487-TICK Program Expense- PH TICK \$3,000

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 102-24 APPROPRIATION OF FUNDS
MENTAL HYGIENE

WHEREAS: The Office of Addiction Services and Supports (OASAS) has awarded the Local Government Unit (LGU) for Tioga County with dollars for the LGU to procure at its discretion based on the allowable use of funds per Settlement and Statute, funding from the Opioid Settlement Fund; and

WHEREAS: The funding is specifically designated for the purpose of Opioid Abatement; and

WHEREAS: Tioga County LGU has identified appropriate use of funds, the construction of a licensed OASAS clinic in Waverly, NY; and

WHEREAS: A4210 416300 will be funded from deferred revenue A 269100 DR104; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4210 416300 ABATE Narcotic Program Charges \$340,000

To: H4310 520004 ABATE Leasehold Improvements \$153,604

To: H4310 520994 ABATE Building Construction \$186,396

And be it further

RESOLVED: That the following interfund transfer be approved:

From: A9950 593715 Interfund Transfers \$340,000

To: H1340 450310 Interfund Transfers \$340,000

And be it further

RESOLVED: That in accordance with Opioid Settlement Funding Statute, any unused portion of this funding be returned to the LGU to be used for other approved Opioid Abatement deliverables within Tioga County.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 103-24 APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
SOCIAL SERVICES

WHEREAS: Tioga County Department of Social Services has received a Code Blue allocation to implement emergency measures for the homeless during inclement winter weather; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.436100 State Aid: Social Services Admin	\$ 5,000
To: A6010.540487 Program Expense	\$ 5,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$5,000 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 104-24 *APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
SOCIAL SERVICES*

WHEREAS: Tioga County Department of Social Services has received a Rental Supplement Program (RSP) allocation to provide rental supplements to individuals and families, both with and without children, who are experiencing homelessness or are facing an imminent loss of housing, regardless of immigration status; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.436100 State Aid: Social Services Admin \$ 124,850

To: A6010.540487 Program Expense \$ 124,850

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$124,850 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 105-24 *MODIFY 2024 BUDGET AND TRANSFER FUNDS
ILS GRANT*

WHEREAS: The Family Court Public Defender has a need for a new printer; and

WHEREAS: The Printer selected by the Public Defender costs \$1 100; and

WHEREAS: The ILS Grant has sufficient funds for this purchase; and

WHEREAS: Legislative approval is required for budget modifications; therefore be it

RESOLVED: That the following funds be transferred for said purchase with excess funds available, if necessary.

From:	A1173.540420	Office Supplies	\$1200.00
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To:	A1173.520200	Office Equipment	\$1200.00
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ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 106-24 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF A LAPTOP AND DOCKING STATION FOR THE ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT*

WHEREAS: The Economic Development & Planning Department has a need for a laptop and docking station; and

WHEREAS: The Economic Development & Planning Department would like to purchase a laptop and docking station and has received the recommended quote from the ITCS Department; and

WHEREAS: The Economic Development computer expense account, A6422 520090 does not have the funds available; and

WHEREAS: The Amending of Budget and Transfer of Funds from a contractual line to an equipment line requires Legislative approval; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the laptop and docking station and complete the following budget transfer as follows:

From:	A6422 540733	Training/All Other	\$930.00
To:	A6422 520090	Computer	\$930.00

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 108-24 APPOINTMENT OF ELECTION WORKER PART-TIME
BOARD OF ELECTIONS

WHEREAS: Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the Management/Confidential listing; and

WHEREAS: The position of Election Worker, Part-Time (Republican), has been vacant since October 25, 2023; and

WHEREAS: Authorization to backfill the vacancy was approved on November 21, 2023; and

WHEREAS: The Election Commissioners have selected a candidate to fill said vacancy; therefore be it

RESOLVED: That Diane B. Murphy be appointed as Election Worker, Part-Time effective March 25, 2024 at the 2024 rate of \$15.00/hr.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 109-24 APPOINTMENT OF ELECTION WORKER PART-TIME
BOARD OF ELECTIONS

WHEREAS: Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the Management/Confidential listing; and

WHEREAS: The position of Election Worker, Part-Time (Democratic), has been vacant since February 16, 2024; and

WHEREAS: Authorization to backfill the vacancy was approved on February 22, 2024; and

WHEREAS: The Election Commissioners have selected a candidate to fill said vacancy; therefore be it

RESOLVED: That Amy L. Ross be appointed as Election Worker, Part-Time effective March 25, 2024 at the 2024 rate of \$15.00/hr.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 110-24 APPOINTMENT OF VOTING MACHINE
TECHNICIAN (PT)
BOARD OF ELECTIONS

WHEREAS: Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the Management/Confidential listing; and

WHEREAS: The position of the Democratic Voting Machine Technician (PT) has been vacant since December 12, 2023; and

WHEREAS: Authorization to backfill the vacancy was approved on December 15, 2023; and

WHEREAS: The Election Commissioners have selected a candidate to fill said vacancy; therefore be it

RESOLVED: That Michaela Nelson be appointed as Democratic Voting Machine Technician (PT) effective March 13, 2024 at the 2024 rate of \$22.82/hr.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 111-24 *CREATE AND FILL TEMPORARY, FULL-TIME CLERK
(SEASONAL) POSITION
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Treasurer's Office has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the office; and

WHEREAS: The Treasurer appropriately budgeted for said position in the approved 2024 budget; therefore be it

RESOLVED: That one (1) temporary, full-time Clerk (Seasonal) position is created at the hourly rate of \$15.00 in accordance with Resolution 196-09, effective April 8, 2024; and be it further

RESOLVED: That the Treasurer shall be allowed to fill said position for a duration not to exceed beyond September 30, 2024.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO:	PERSONNEL COMMITTEE
RESOLUTION NO. 112-24	AMEND EMPLOYEE HANDBOOK: SECTION IV. PERSONNEL RULES; SUBSECTION j., MANAGEMENT/CONFIDENTIAL BENEFITS; PARAGRAPH II. A. LEAVE ACCRUALS, VACATION

WHEREAS: Resolution No. 535-23 dated December 12, 2023, amended the Employee Handbook: Section IV. Personnel Rules; Subsection j., Management/Confidential Benefits; Paragraph II. A Leave Accruals, Vacation; and

WHEREAS: The granting of the additional five (5) days of vacation for employees with 20 years or more of Tioga County service also effects Chart 2 Prior Year Experience; and

WHEREAS: Munis only has the capability to recognize one (1) anniversary date; therefore be it

RESOLVED: That the Employee Handbook; Section IV. Personnel Rules; Subsection j., Management/Confidential Benefits; Paragraph II. A. Leave Accruals, Vacation is hereby amended to read as follows:

II. Leave Accruals

All full-time Management/Confidential employees (except elected officials) are eligible for the following:

A. VACATION

- Accounting for vacation time shall be done by the Treasurer's Office through the County central computer on a per-pay period basis, as reported to the Treasurer's Office by the various departments.
- Vacation days are accrued on each employee's anniversary date, which is maintained by the Treasurer's Office. Anniversary dates are adjusted on a day for day basis for any unpaid absence that has not been previously approved. No adjustment of the anniversary date shall occur if an unpaid medical leave is pre-approved and does not exceed one cumulative year (260 working days) in duration. Once pre-approved medical leave(s) exceeds one cumulative year, the anniversary date shall be adjusted on a day for day basis for all days in excess of 260. An unpaid leave of absence for non-Family/Medical Leaves reasons which is approved in advance shall result in adjustment of the employee's anniversary date as of day one.
- Vacation days cannot be used until they are actually accrued. Vacation time may be used in one-hour increments. If a half-day is used, 3 ½ hours will be charged.
- For employees hired without credit for relevant prior work experience, the following chart shall apply:

CHART 1:

Years of Tioga County Service:

Vacation Days:

Upon hire	0
6-month anniversary	5 days
1 year anniversary	10 days (minus any used between 6 months and one year)
2 year - 5-year anniversary	10 days
6 year - 12-year anniversary	15 days
13 year -19-year anniversary	20 days
20 years and over	25 days

- For those employees hired with credit for five or more years of relevant prior work experience who have not yet reached (as of December 1, 2000) the anniversaries indicated below, vacation will be accrued based upon the sum of the prior relevant work experience plus the total relevant Tioga County experience, as follows:

CHART 2:**Prior Years Experience plus Tioga**

<u>County Experience Upon Date of Hire:</u>	<u>Vacation Days:</u>
5*	10 days
6-12	15 days
13-19	20 days
20 years and over	25 days

(*Employees with less than five years of prior relevant experience shall be considered to have no prior relevant experience, and therefore covered by Chart 1).

- Years of relevant prior experience shall be determined at the time of employment with Tioga County (within the Management/Confidential plan) by the Personnel Department and shall take into account all of an employee's relevant prior work experience. The judgment of the County in this matter shall be at its sole discretion and shall be final and binding on all parties concerned.
- Department Heads shall notify the Chair of the Legislature and Legislative Standing Committee Chair a minimum of ten (10) days in advance of their intent to use vacation time, per Section IV. Personnel Rules, Subsection a. Positions/Leave Time/Vacancies, Paragraph V. Leave Time, B.; this notification shall be in writing, for which email is acceptable.

The Department Head and second in command (as designated by the Department Head) shall not be on vacation at the same time for more than three (3) workdays without advance authorization from the Chair of the Legislature and Legislative Standing Committee Chair. It is the Department Head's responsibility to submit such requests in writing.

Any vacation leaves in excess of ten (10) workdays require prior approval of the Legislative Chair.

- All Other Management/Confidential Employees must file a written request for vacation a minimum of ten (10) working days in advance of the requested leave with the Department Head for all leaves over five (5) days in length. Leave of less than five (5) days duration may be granted within 24 hours' notice. Exceptions to this may be granted by the Department Head, however, all requests for vacation leave must be approved by the Department Head.
- In no case shall an employee accrue more than 25 days' vacation on his/her anniversary date.

- No employee shall carry more than 45 days' vacation at any time. Therefore, the amount of vacation days an employee has on the books the day before his/her anniversary plus the number of days s/he is to accrue on his/her anniversary should equal 45 or less. Any days over 45 shall be immediately lost on the employee's anniversary.
- Exception: In the event unforeseen and unanticipated circumstances may cause an employee to have more than 25 days of vacation upon the day before his/her anniversary, a request to carry-over more than 25 days may be submitted by the employee to the Personnel Officer for review prior to the employee's anniversary date. In reviewing the request, the Personnel Officer shall consider what may have caused the situation (for example: staffing, special projects, and the employee's efforts to take vacation time during the preceding 12 months). In the event such request is approved, the employee will be allowed to carry more than 25 days over but will be required to use the extra days by the date 6 months after his/her anniversary. Any extra days remaining 6 months after the anniversary date will be lost. In the event the request is denied or if an employee has more than 25 days' vacation on the day before his/her anniversary and has not submitted a request, the balance will be reduced to 25 days as indicated in Section III.2. Requests received by Personnel on or after the employee's anniversary date will be denied.
- There will be no payment in lieu of vacation while the incumbent is employed by Tioga County.
- Any unused vacation time plus a portion of the coming year's accrual shall be paid for upon separation from the County. Employees granted vacation upon hire based upon qualifying prior work experience must work a minimum of twelve (12) months for Tioga County in order to be eligible for payment of the pro-rated portion of the coming year's vacation accrual.
- Employees are required to give at least 10 working days advance notice of their resignation or retirement or forfeit any and all pay for earned vacation time. In determining whether this requirement is met, it will be assumed that all employees work Monday through Friday schedule. The Personnel Officer, upon consultation with the Department Head, may make an exception.
- An employee who leaves employment and is rehired more than six (6) months after separation shall be considered a new hire and payment of accrued vacation upon initial separation will be taken into account when determining vacation allowance upon rehire.

- An employee who leaves and is rehired within six (6) months shall have his/her anniversary date adjusted to account for the time not employed by Tioga County.

And be it further

RESOLVED: That the remainder of Section IV. Personnel Rules; Subsection j., Management/Confidential Benefits remains unchanged.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standing and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 113-24 *AMEND EMPLOYEE HANDBOOK:
ABOLISH SECTION IX. SAFETY RULES, SUBSECTION A.
ENTITLED CONTAGIOUS DISEASES IN ITS ENTIRETY*

WHEREAS: Public Health has reviewed the Employee Handbook and recommends that a contagious disease policy is not necessary, as every event is situational, and the existing policy is not reflective of current recommendations; and

WHEREAS: The Safety Officer is in favor of Public Health's recommendation for abolishment of the Contagious Disease policy in the Employee Handbook; and

WHEREAS: Legislative approval is required for changes to County policy; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to reflect the abolishment of Section IX. Safety Rules, Subsection A. entitled Contagious Diseases in its entirety without replacement.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger and Brown.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:46 P.M.

*Public Hearing
Local Law Introductory No. A of 2024
March 21, 2024*

The Public Hearing on Local Law Introductory No. A of 2024 A Local Law of the Tioga County Legislature of the County of Tioga, authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter was called to order by Deputy Chair Monell at 10:02 A.M. Legislators Brown, Ciotoli, Flesher, Monell, and Mullen were present with Legislators Roberts, Sauerbrey, Standingger, and Weston being absent.

There were 3 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no public comments, the hearing was adjourned at 10:03 A.M.

Fourth Regular Meeting
April 9, 2024

The Fourth Regular Meeting of 2024 was held on April 9, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked to have a moment of prayer. "Today, we are remembering our friend and colleague, Dale Weston. We are grateful for his 19 years of service to the Tioga County Legislature and for his many acts of community service across the County. Most importantly, we are thankful for his kindness, his humbleness, his compassion, and his friendship. O God, we pray the old order has passed away and welcome Dale into paradise where there will be no sorrow, no weeping or pain, but fullness of peace and joy with your Son and the Holy Spirit forever and ever. We ask you Lord in your mercy, turn the darkness of death into the dawn of new life and the sorrow parting into the joy of Heaven."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 35 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Legislator Flesher read and presented the following resolution to Roy Schreiner, Sheriff's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 114-24 *RESOLUTION RECOGNIZING ROY SCHREINER'S
NEARLY 30 YEARS OF DEDICATED SERVICE
TO TIOGA COUNTY*

WHEREAS: Roy Schreiner was appointed as a Part-Time Corrections Officer on 10/18/94; then appointed to a Full-Time Corrections Officer position on 4/7/97; and

WHEREAS: Roy Schreiner has been dedicated and loyal in the performance of his duties and responsibilities during the nearly 30 years of service to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Roy Schreiner will retire from the Tioga County Sheriff's Office on April 18, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Roy Schreiner for his nearly 30 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Roy Schreiner.

ROLL CALL VOTE

Unanimously Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Flesher spoke. "In my brief time here on the Legislature, I got to work with Roy again. I was a Deputy Sheriff when he was hired way back when, but it became clear to me, as Chair of the Public Safety Committee, his work with the Weekend Work Program was just outstanding. Also, being part of the Alternatives to Incarceration (ATI) Committee and seeing firsthand the statistics and the time and dedication Roy put into this program and the results that this program has garnered was just outstanding. For me, this was super impressive. I want to thank you personally, but also on behalf of Tioga County. You are leaving a tremendous hole with your retirement that hopefully we can fill. Congratulations and I hope you enjoy your retirement."

Undersheriff Hallett spoke. "The Sheriff is unable to be here today, however, he has prepared a few words that he asked that I read into the record.

"Roy, as you know family always comes first although the Sheriff's Office comes a close second. It is with a heavy heart you leave, but rest assured you have left the office in a better place. I will miss our breaks together and the talks of family and plans for the future. You have always represented the Sheriff's Office with honor and pride. It has been my honor to have worked with you for nearly 30 years. Enjoy your time off with family and friends and I will see you on the outside. The citizens of Tioga County will miss you, as will all the employees of the Sheriff's Office. Thank you, Roy, for your dedication and for being my friend. God speed. Sheriff Howard."

Undersheriff Hallett spoke. "I would just like to add to that and say that you are leaving some big shoes to fill, and we are really happy for the time you spent with us. Thank you, Liz, for all the sacrifices you have made. I wish we could have kept you longer. We wish you all the best."

Roy Schreiner spoke. "Thank you for everything. The Sheriff's Office has been my home during the time I raised my family. This is just a tight core group, and we all take care of each other every day. One of the things that I loved the most was this family and there is nothing like it. The Sheriff's Office is nothing like anything that I have ever been a part of, and you all mean so much to me. Someday, you are going to be standing up here and in my shoes. It has truly been an honor to work with all of you. I love you all. I got promoted 19 years ago and I just hit the ground running with community service. I just wanted to make sure that the place that I lived in was always taken care of and this was always my focal point of making sure that Owego and Tioga County was prepped, looked good, and was presentable. We get a lot of tourists in Owego and Tioga County and when I go to bed at night and after today, I will always know that I gave it 110% every day. It gives me great pleasure to present that little piece to the body of the County and my family who are here today. Thank you and thank you to the Sheriff's Office for everything. I am going to miss you all."

Chair Sauerbrey reported we have two Proclamations; **Fair Housing Month** and **Child Abuse Prevention Month** that will be noted for the minutes.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS: The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS: Tioga County is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS: Our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS: More than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS: Acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga does hereby proclaim the month of April 2024 as

FAIR HOUSING MONTH

in Tioga County as an inclusive community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of Tioga County.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 1156 reports of alleged abuse/neglect involving 2474 children in 2023; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT, Catholic Charities, Hillside's Regional Permanency Center, CASA-Trinity, and Liberty Resources offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2024 as

CHILD ABUSE PREVENTION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to ensure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of March 12 and 21, 2024, seconded by Legislator Brown and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Chair Sauerbrey delivered the following State of the County Address:

“The first best news about Tioga County government is our financial status. In 2023, our sales tax collections were up 4.96% to \$33,288,309 or \$1,500,000 over 2022. County towns and villages received 25% of our sales tax collections that we share with them, benefitting their communities.

“The Treasurer auctioned off 28 tax foreclosed properties at an August public auction. Despite writing off three years of uncollected property taxes, the sales produced a surplus of \$210,000 at closing. However, a proposed State law will no longer allow counties to retain surplus and shall address a priority distribution of such funds. The State is still discussing how that law will roll out.

“In 2023, the County paid \$2,900,000 in community college tuition bills. This mandated education service represented 12% of our county tax levy last year. Tioga County had 1,470 residents who benefitted from this program. If you have children who are attending community colleges, you can thank the County for paying part of their tuition costs.

“The year 2023 was filled with many successes and challenges.

“Processes and procedures have been improved in our Public Health Department and new staff and management have brought much success to programs such as Public Health Emergency Preparedness and the Welcome Baby Outreach Program.

"The Veterans' Service Agency continues to provide needed services to our county veterans by hosting monthly outreach programs for veterans to connect with one another. Their outreach efforts have helped county veterans through times of many struggles.

"The Economic Development & Planning Department (ED&P) has been very active with economic development programs such as the Village of Owego DRI, New York State Main Street Programs in the Villages of Candor and Owego, along with ongoing projects such as Restore NY projects for the Village of Owego. The Village of Waverly is being assisted with their \$4,500,000 NY Forward Project. All these projects help improve our communities and draw more people to our area. Broadband expansion in the Nichols area was helped through the American Recovery Funds facilitated through Economic Development & Planning.

"Our Real Property Office proposed and drafted a local law that the Legislature adopted granting Volunteer Firefighters and Ambulance Workers a property tax exemption.

"For the second year in a row, the County Clerk's Office saw a large increase in passport applications and photos. Passport applications increased by 64% over 2022 and the passport photo service increased by 79%. The total of 2023 revenue from the County Clerk's Office was down roughly 24% from 2022. The area that saw the most decline was in land records, deeds, and mortgages, most likely due to the increase in interest rates.

"Tioga County Department of Motor Vehicles (DMV) needs to be applauded for the excellent service they provide to our community. We continually receive compliments from our customers who are very pleased with their service.

"Our Records and Asset Management Department has plans to work with the County Clerk to start a process of digitizing historic records so the public can access them electronically rather than handling the original records.

"Another active team of employees is our Information Technology and Communication Services (ITCS) Department who have been extremely busy with installing more effective storage systems, significant security upgrades from camera installations to threat intelligence and cyberattack response. The ITCS municipal shared services program has kept staff extremely busy addressing the needs of towns and villages who are participating. Those municipalities are Village of Waverly, Town of Barton, Town of Owego, Village of Owego, Town of Nichols, and the Town of Candor.

"Our Probation Department is prescribed by New York State laws and is a mandated service in all counties. The Probation Department runs an excellent

program Alternative to Detention Program which reduces or eliminates the use of expensive detention placement of youth in the juvenile justice system. The Probation Department's external focus in 2023 revolved around community safety and provision of services expanding the number of tools available to assist with the individuals under supervision such as electronic monitoring.

"The Public Works Department will always be an active department within the County; renovating and relocating office space, repairing heating and cooling issues, replacing culverts, paving roads, or other unusual actions such as retrieving a historic bell. As for the Bell of Sessions, if you read the paper or watched the news, you will know that our County Historian, Emma Sedore, was able to find what we believed to be lost, a precious artifact. The Public Works Department was able to retrieve the Bell of Sessions and install it at the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. It was a proud moment for our County, and we are grateful to Emma for her diligence in locating the Bell of Sessions.

"Some of our biggest challenges in 2023 were centered around employment. Our Personnel Department struggled with recruiting employees with an average of 39 full-time vacancies being carried at any time. This was a problem not only for Tioga County, but true around the country. The State assisted by creating a program called "Hiring for Emergency Limited Placement (HELP) Program, which Personnel participated. The program helped remove barriers to Civil Service hiring and address the statewide workforce shortage related to health and safety titles.

"Staffing shortages affected all departments and most significantly the Department of Social Services. However, our Department of Social Services was able to provide excellent services in the Children and Adult Services and the Employment and Transitional Supports Services. The Accounting, Systems, Resource and Recovery, and Fraud Activities for 2023 were greatly challenged due to finding qualified and experienced candidates.

"As we moved into a new year, the Board of Elections welcomed new staff members from both the Democratic and Republican Party gearing up for the Presidential Election as well as State and Local elections. Election reforms continue with the Early Vote by Mail Law, which was passed and becomes effective in 2024. Legislation was also signed to move most local elections to even-numbered years starting in 2025.

"The Law Department is active in responding to litigations and claims, contract bidding and administration and providing legal counsel, not to mention legal counsel for Social Services, Public Health, and Mental Hygiene. The Assistant County Attorney's Office continues to be extremely busy with child protection

matters. Despite the unfortunate nature of these cases, the Assistant County Attorney works in the best interest of our children.

"The Public Defender's Office completed another year and not a single case or matter was returned by the Appellate Court due to ineffective assistance of counsel provided by their office.

"The District Attorney's Office will be prosecuting the Thomas Rath homicide who was abducted in Tompkins County, but eventually transported to Tioga County where he was eventually murdered. We have arrested over a dozen individuals involved in this case and we anticipate several felony trials over the next year.

"Moving into 2024, we have exciting projects underway for the safety and security of our County.

"The Sheriff's Office arranged for two Deputies to be trained and certified as drone pilots. The goal of the future is to implement a department-wide Drone Program, which includes two drones for multiple uses including search and rescue, accident crime scene reconstruction, and public relations.

"The Interoperable Radio Communications Project is well underway. Four new communications towers have been established and construction of the towers will begin later this year. We will report more when construction begins.

"Interviews for the County Administrator position have begun, and we hope to have someone in place by the beginning of summer.

"Lastly, the County is engaged in a large project regarding a new location for our Mental Hygiene Department in the Village of Waverly. The County is working with the Village of Waverly on an agreement to house our mental health services in part of the Village of Waverly Hall located at 32 Ithaca Street, Waverly, NY. This will allow mental health services to be more easily obtained in this area of the county. This was a long-term project that required funding and agreements to come into place. We are extremely pleased with the cooperation of all parties to make this project a success.

"For more detailed reporting for each County Department, please visit the County's website at www.tiogacountyny.gov/departments. Thank you."

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 115-24 ADOPT LOCAL LAW NO. 1 OF 2024

WHEREAS: A public hearing was held on March 21, 2024, following due notice thereof to consider the adoption of Local Law Introductory No. A of 2024; A Local Law authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter; and

WHEREAS: It is in the best interest of the residents of Tioga County to adopt such Local Law which will be Local Law No. 1 of 2024; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted:

County of Tioga County

Local Law No. 1 of the Year 2024.

A Local Law authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: LEGISLATIVE INTENT

New York State Department of Environmental Conservation's (NYSDEC) Youth Deer Hunting Pilot Program (Environmental Conservation Law Section 11-0935) has been extended from December 31, 2023 to December 31, 2025. Tioga County previously participated in this pilot program by way of Local Law No. 3 of 2021 with a sunset date of December 31, 2023. It is the intent of this Local Law to authorize Tioga County to permit twelve (12) and thirteen (13) year old individuals to participate in the extension of the NYSDEC Youth Deer Hunting pilot program in accordance with Environmental Conservation Law § 11-0935. NYSDEC's Report to the New York State Senate and Assembly *Deer Hunting by 12-and 13-Year-Old Hunters dated February 1, 2024*, found the statewide program to be a success with 52 out of NYS's 54 eligible counties participating during the first three years of the pilot program. During the two-year program, over 9,600 youth hunters participated. On safety, the report states, "no hunting-related shooting incidents, violations, or license revocations involving 12- and 13-year-old hunters were reported/occurred during the first two

years of the pilot program” further determining that “youth hunters are the safest group of hunters.”

The enacted 2023-2024 New York State Budget extended the pilot program allowing counties to opt-in by way of Local Law to provide an opportunity for young hunters, ages twelve (12) and thirteen (13), to continue to hunt deer with firearms and crossbow through 2025 if a county authorizes such action within their municipality. Tioga County is passing this Local Law, as hunting is a valued tradition for many families and this continued opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

SECTION 2: PILOT PROGRAM AUTHORIZATION

Pursuant to Environmental Conservation Law, ECL § 11-0935, Tioga County elects to participate in the extended pilot program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025.

SECTION 3: STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- A. Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- B. Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a crossbow during the times when other hunters may use crossbows; and
- C. Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- D. All licensed twelve (12) and thirteen (13) year old hunters, as well as their adult supervisors, shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and

- E. All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- F. Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year olds with a firearm or crossbow.

SECTION 4: LOCAL LAW FILING REQUIREMENTS

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the New York State Department of State.

SECTION 5: SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Legislator Standinger spoke. "The Federal government sometimes gets concerned about youth and gun violence. This is a program where a youth would be using a gun in a safe manner under the supervision of an adult licensed hunter, so I think it is a good thing. I say that because I am a Certified Hunter Safety Instructor and I know that the youth that I have taught are very anxious and energetic, but they follow the rules; unlike some of the older hunters that I know. I think this is an excellent opportunity to train the youth."

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 116-24 *SET PUBLIC HEARING FOR
RESTORE NY COMMUNITIES INITIATIVE ROUND 8
APPLICATION FOR TEMPLE AND LIBERTY STREET
RECONSTRUCTION AND NORTH AVE
REHABILITATION*

WHEREAS: Tioga County is applying for a NYS ESD Restore New York Communities Initiative Round 8 ("Restore NY") Grant on behalf of Tioga County Property Development Corporation for their project at 81 North Ave., 39-41 Temple St., 112 Liberty St., 110 Liberty St., 96-102 Liberty St., 92-94 Liberty St., 37 Temple St., 43-45 Temple St., 47 Temple St., and 49 Temple St., Owego, as listed on the Property Assessment List in the application; and

WHEREAS: The Restore NY Grant program requires a public hearing to discuss the Restore NY application and the Property Assessment List; therefore be it

RESOLVED: That Tioga County will hold a public hearing to discuss its Restore NY application and Property Assessment List on Thursday, April 18, 2024, at 10:00 a.m. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. All interested parties will be heard at this hearing.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 117-24 APPOINT MEMBER TO THE TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Jenny Ceccherelli has resigned from the Tioga County Industrial Development Agency Board of Directors effective January 29, 2024; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Brenda Evanek has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jenny Ceccherelli for her loyal service to the residents of Tioga County; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints Brenda Evanek to replace Jenny Ceccherelli's position on the Tioga County Industrial Development Agency Board of Directors effective April 10, 2024.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 118-24 *ACCEPTANCE OF THE APPLICATION FOR
JEFFREY WINCHELL
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Office of Emergency Services provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Jeffrey Winchell has applied for membership to the County Haz-Mat Team; and

WHEREAS: Jeffrey Winchell currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; therefore be it

RESOLVED: That Jeffrey Winchell be added to the Tioga County Haz-Mat Team roster.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 119-24 *ACCEPTANCE OF THE APPLICATION FOR
THOMAS A. KELLEY TO THE
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Office of Emergency Services provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Thomas A. Kelley has applied for membership to the County Haz-Mat Team; and

WHEREAS: Thomas A. Kelley currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; therefore be it

RESOLVED: That Thomas A. Kelley be added to the Tioga County Haz-Mat Team roster.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 120-24 *AUTHORIZE THE SUBMISSION OF PTS
(POLICE TRAFFIC SERVICES)
GRANT APPLICATION*

WHEREAS: The NYS Governor's Traffic Safety Council has announced a 2025 PTS (Police Traffic Services) grant; and

WHEREAS: Applications for this grant must be received no later than May 1, 2024; and

WHEREAS: County Policy requires Legislative approval before any such grant applications are submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 121-24 *AUTHORIZATION FOR ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT AN APPLICATION TO THE NYS COMMUNITY DEVELOPMENT BLOCK GRANT MICROENTERPRISE ASSISTANCE PROGRAM AND AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON GRANT RELATED DOCUMENTS*

WHEREAS: Economic Development and Planning often receives requests from small business owners seeking grant funding; and

WHEREAS: Tioga County currently does not have a grant program available to offer to small businesses; and

WHEREAS: The NYS CDBG Microenterprise Assistance Program allows municipalities to apply for grant funds to assist microenterprise businesses with business start-up and expansion funding to support the creation or retention of permanent, private sector job opportunities, principally for persons from low-moderate income families; and

WHEREAS: A microenterprise business is defined as a for-profit business with five or fewer employees, including the owner(s); and

WHEREAS: Thoma Development Consultants is assisting Economic Development & Planning with the application; and

WHEREAS: Tioga County is proposing the submittal of an application under the NYS CDBG Microenterprise Assistance Program of \$215,000 to assist microenterprise businesses in the County; and

WHEREAS: The proposed project is an eligible activity under the NYS CDBG Microenterprise Assistance Program and Tioga County, NY is an eligible entity to apply for and receive NYS CDBG funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said grant application of \$215,000 and upon award, authorizes the Chair of the Legislature to sign any and all grant-related contract and other paperwork, contingent upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 122-24 *AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON MEMO OF UNDERSTANDING WITH BINGHAMTON UNIVERSITY AND REQUEST FOR AN ACCREDITED INTERNSHIP IN THE ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT*

WHEREAS: A request was made to the Economic Development & Planning Department to provide an unpaid internship to a Tioga County resident who attends Binghamton University; and

WHEREAS: The intern, Alexander Umiker, is enrolled in Binghamton University's Master of Public Administration program, and is required to complete 300 hours of an internship between May 2024 and July 2024; and

WHEREAS: The intern will research and present findings regarding the Climate Smart Communities Program to the County and Tioga County municipalities under the supervision of Deputy Director, Brittany Woodburn and provide administrative support for the County Planning Director under the supervision of Deputy Director, Brittany Woodburn until his obligations have been met; and

WHEREAS: A Memo of Understanding with Binghamton University is required; and

WHEREAS: The County's Employee Handbook, Section V. Non-Traditional Workers, Subsection b. Internships allows for unpaid internships if authorized by the Legislature; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Chair of the Legislature to sign the Memo of Understanding between Binghamton University and Tioga County upon review and approval of the County Attorney; and be it further

RESOLVED: That the Economic Development & Planning Department is hereby authorized to have an unpaid intern in the Economic Development & Planning Department between May 2024 and July 2024.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 123-24 AMEND RESOLUTION NO. 20-23
AUTHORIZE LEASE WITH MOTOROLA SOLUTIONS TO
FUND EQUIPMENT FOR P25 RADIO SYSTEM PROJECT
OFFICE OF EMERGENCY SERVICES

WHEREAS: Resolution No. 20-23 adopted on January 10, 2023 authorized a lease with Motorola, for a P25 Radio System Project, at an amount not to exceed \$3,557,413.44; and

WHEREAS: The total amount, including interest, is actually \$4,044,973.15, which is stated in the current lease agreement; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Resolution No. 20-23 be amended to reflect the payment of \$4,044,973.15 for the yearly lease of the P25 Radio System Radio Project as stated in the current lease.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 124-24 AMEND RESOLUTION NO. 498-23
TRANSFER OF SURCHARGE FUNDS
PURCHASE WORKSTATIONS/CARPET
COMMUNICATIONS DIVISION

WHEREAS: Resolution No. 498-23 adopted on December 12, 2023 authorized the purchase of workstations and carpet from NYS contract vendors and transfer of funds from surcharge monies; and

WHEREAS: The original quote had expired and a new one was obtained, which indicates a slight price increase on the workstations from \$110,772.75 to \$112,982.08; and the carpet indicates a slight price decrease from \$11,490.17 to \$10,857.05 for a total of \$123,839.13, which is a total price increase of \$1,576.21 over the original quote of \$122,262.92; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Resolution No. 498-23 be amended to reflect the total cost of \$123,839.13 for the workstations and carpet.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 125-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING
IN THE FIRST INSTANCE 100% OF THE FEDERAL AID
AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE
COSTS OF A TRANSPORTATION FEDERAL-AID
PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Glenmary Drive over Thorn Hollow Creek (BIN 3335110) Bridge Replacement PIN 9755.38 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering / Design.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVE: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering / Design work for the Project or portions thereof; and it is further

RESOLVED: That funding be appropriated and made available to cover the cost of participation in the above phases of the project and new project accounts established as follows:

From: H5110.445020.H2401 Federal Aid-County Road Bridge	\$255,200.00
H5110.435020.H2401 State Aid-County Road Bridge	\$ 47,850.00
H.390900 Fund Balance Unrestricted	\$ 15,950.00
To: H5110.540004.H2401 Glenmary Dr Bridge BIN 3335110	\$319,000.00

And it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and it is further

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 126-24 *AUTHORIZE PURCHASE OF ADJACENT
DELPHINE STREET PROPERTY*

WHEREAS: Tioga County Department of Public Works acquired the former Town of Owego Highway Facility to be used as a facility to wash vehicles and equipment to prolong their service life; and

WHEREAS: The Commissioner of Public Works desires to install a drive through automatic car wash; and

WHEREAS: There is currently not enough county owned land to make this building a drive through car wash; and

WHEREAS: There is a piece of property adjacent to the Delphine Street property that is available for purchase for \$10,000; and

WHEREAS: The Tioga County Legislature has granted the utilization of American Recovery Plan Act (ARPA) Funds for the sum of \$10,000 to cover the purchase of the adjacent Delphine Street property under the ARPA Provision of Governmental Services; therefore be it

RESOLVED: That the Legislature authorizes the purchase of the adjacent Delphine Street property for the sum of \$10,000.00 to be paid out of H1620 520994 M7674.

Legislator Standinger spoke. "Commissioner of Public Works Gary Hammond has put a lot of effort into securing this facility and the purchase of this adjoining property makes it safer for use of the facility. Kudos to him for going the extra mile and figuring out how to do it. He saved the County a lot of money with this project.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 127-24 *AWARD DESIGN SERVICES TO
BARTON & LOGUIDICE FOR BIN 33351 10*

WHEREAS: Tioga County was awarded funding from NYSDOT to replace a bridge, Glenmary Drive over Thorn Hollow Creek BIN 33351 10, in the Town of Tioga; and
WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Barton & Loguidice, Liverpool, NY; and

WHEREAS: The proposal for this project came in at \$262,000; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for Glenmary Drive over Thorn Hollow Creek from Barton & Loguidice not to exceed \$262,000 to be paid out of the Glenmary Drive over Thorn Hollow Creek account H5110.540004.H2401.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 128-24 *AWARD CONSTRUCTION INSPECTION SUPPORT SERVICES TO DELTA ENGINEERS PIN 9754.94*

WHEREAS: Tioga County was awarded funding for Glenmary Drive Culvert PIN 9754.94 through NYSDOT; and

WHEREAS: The Commissioner of Public Works has received a proposal for construction inspection and construction support services from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this project came in at \$110,779.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for Glenmary Drive Culvert PIN 9754.94 not to exceed \$110,779.00 to be paid out of H5110.520003.H1008 Culvert Replacement.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 129-24 *AMEND BUDGET AND TRANSFER FUNDS GLENMARY DRIVE CULVERT PIN 9754.94*

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: The Commissioner has received a proposal for construction inspection and construction support; and

WHEREAS: The budgeted amount is insufficient; and

WHEREAS: Additional funding has been approved through NYSDOT due to a change order bringing the current contract amount to \$483,143.00; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: H390900	Fund Balance-Unrestricted	\$66,643.00
To: H5110.520003.H1008	Culvert Replacement	\$66,643.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 130-24 *AMEND 2024 BUDGET AND TRANSFER FUNDS*
SAFETY AUDIT
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has identified safety improvement funding which is available through the BMTS; and

WHEREAS: In order to qualify for this funding, a safety audit will need to be performed that will cost \$20,000.00; and

WHEREAS: Public Works is willing to utilize the available funds in their 2024 Operating Budget for this safety audit; and

WHEREAS: Legislative approval is needed to amend the 2024 Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the 2024 Budget:

From: A1620.540140	Contracting Services	\$20,000.00
To: D5110.540140	Contracting Services	\$20,000.00

And be it further

RESOLVED: That the Tioga County Legislature authorizes an interfund transfer and appropriation of funds from the General Fund to the County Road Fund as follows:

From: A9901.591715	Transfers – A to D Fund	\$20,000.00
To: D5110.450310	Interfund Transfers	\$20,000.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO:	PUBLIC WORKS COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 131-24	AMEND 2024 BUDGET AND TRANSFER FUNDS FOR HIGHWAY WORKER (SEASONAL) POSITION PUBLIC WORKS
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WHEREAS: There will be a need for the Highway Department to employ one (1) additional Highway Worker (Seasonal) position for 2024; and

WHEREAS: Public Works has budgeted for a Motor Equipment Operator II position that has not been able to be filled to date; and

WHEREAS: Legislative approval is needed to amend 2024 Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the 2024 Budget:

From: D5110.510010	Full Time	\$10,000.00
To: D5110.510020	Part Time/Temporary	\$10,000.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 132-24 RE-ESTABLISH PRIOR YEAR 2023
CAPITAL EQUIPMENT FUNDS AND
AMEND 2024 BUDGET
SOCIAL SERVICES

WHEREAS: Tioga County Social Services ordered 2 vehicles utilizing 2023 budgeted monies. Due to production delays, the vehicles will not be received prior to the closing of the budget year 2023; and

WHEREAS: 2023 Capital Equipment funds and related revenues need to be re-established and the 2024 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Car/Truck account H6010 521060 be re-established with 2023 money in the amount of \$53,990.44 and the 2024 budget be increased accordingly.

H6010 521060	Car/Truck	\$53,990.44
H6010 436100	State Aid-Social Services Admin	\$13,497.61
H6010 446100	Federal Aid-Social Services-Admin	\$26,995.22

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 133-24	RE-ESTABLISH PRIOR YEAR 2023 CAPITAL EQUIPMENT FUNDS AND AMEND 2024 BUDGET PUBLIC HEALTH
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WHEREAS: Tioga County Public Health ordered 4 vehicles utilizing 2023 budgeted monies. Due to production delays, the vehicles will not be received prior to the closing of the budget year 2023; and

WHEREAS: 2023 Capital Equipment funds and related revenues need to be re-established and the 2024 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Car/Truck account H4011 520060 be re-established with 2023 money in the amount of \$107,603.56 and the 2024 budget be increased accordingly.

H4011 520060	Car/Truck	\$107,603.56
H4011 434010	State Aid- Public Health Capital	\$ 38,737.29

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 134-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in April, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

April 28: Ice Cream Social @ Candor Legion - \$450.00 (Dwyer Grant)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 135-24 *APPROVE SOLE SOURCE PURCHASE OF FIBER BUILD TO CONNECT TIOGA COUNTY PUBLIC SAFETY BUILDING TO BROOME COUNTY PUBLIC SAFETY BUILDING*

WHEREAS: A fiber path is needed from the Tioga County Public Safety Building to the Broome County Public Safety Building for the new radio system; and

WHEREAS: The Director of Emergency Services has been working in conjunction with Tioga County's IT Director on this project and has received a quote in the amount of \$78,000, from a sole source provider, Southern Tier Network, which has been determined to be in the county's best interest; and

WHEREAS: Legislative approval is required for all sole source purchases; and

WHEREAS: There are sufficient funds available in the State Interoperable Communications 2020 Grant, account A3415.520130.IO20F; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Emergency Services to enter into an agreement with Southern Tier Network, for the purchase of fiber build connecting the Tioga County Public Safety Building to the Broome County Public Safety Building, in the amount of \$78,000, which will be paid from account A3415.520130.IO20F.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 136-24 REQUEST AND TRANSFER RESERVE FUNDS AND AMEND 2024 BUDGET

WHEREAS: Chapter 497 of the New York State Law of 1999 requires every county to establish a separate handicapped parking and education program with the purpose of providing education to increase the awareness of handicapped parking laws; and

WHEREAS: Implementation of this plan is dependent upon revenue generated from a mandatory thirty-dollar (\$30.00) handicapped parking fine surcharge which the New York State Law of 1999 requires will be used for activities such as public service announcements, public education and awareness campaigns, distribution of literature and other activities with such purpose; and

WHEREAS: Org (A2989) Other Education/Handicapped Parking has been set up to receive and expend said reserve funds; and

WHEREAS: The Safety Officer would like to purchase fifteen (15) acrylic brochure holders for the purpose of distributing printed materials to provide awareness of handicapped parking laws; and

WHEREAS: Amending of Budget and Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

From: A.388904	Reserve for Handicapped Parking Education	\$34.99
To: A2989.540010	Advertising	\$34.99

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 137-24 STATE AID CASINO REVENUE
RESERVE ALLOCATION

WHEREAS: Resolution No. 234-22 authorized the Tioga County Legislature to annually determine the designated reserve fund or funds to allocate the funds received from State Aid Casino Revenue; and

WHEREAS: State Aid Casino Revenue grossed \$1,816,422.29 in 2023; and

WHEREAS: The Tioga County Legislature would like to fund the Capital Building Reserve-SAC with the total 2023 amount received in State Aid-Casino funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes an Interfund transfer and appropriation from the General Operating Fund to the Capital Operating Fund as follows:

FROM:	A9950 593715	TRANSFERS TO CAPITAL FUND	\$1,816,422.29
TO:	H1340 450310	INTERFUND TRANSFER	\$1,816,422.29

And be it further

RESOLVED: That the SAC Building reserve be funded with Unrestricted Capital Fund Balance as follows:

FROM:	H 390900 UNRESTRICTED FUND BALANCE	\$1,816,422.29
TO:	H 387810 BUILDING RESERVE-SAC	\$1,816,422.29

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 138-24 *FUNDING OF THE RESERVES FOR
CAPITAL EQUIPMENT, CAPITAL SOFTWARE, AND
CAPITAL HARDWARE*

WHEREAS: The Tioga County Legislature recognizes the importance of Capital Infrastructure especially as it relates to Equipment and Computer Hardware & Software; and

WHEREAS: The Tioga County Legislature also recognizes the need for the continued maintenance and upgrades of County infrastructure via the utilization of established Capital Reserves; and

WHEREAS: The Tioga County Legislature wishes to fund the Capital, Capital Software, and Capital Hardware Reserves with Unrestricted General Fund Balance; therefore be it

RESOLVED: That \$6,000,000.00 be transferred from the General Operating Fund to the Capital Fund as follows:

FROM:	A9950 593715 TRANSFERS TO CAPITAL FUND	\$6,000,000.00
TO:	H1340 450310 INTERFUND TRANSFER	\$6,000,000.00

And be it further

RESOLVED: That the Capital, Capital Software & Capital Hardware Reserves be funded with Unrestricted Capital Fund Balance as follows:

FROM:	H 390900 UNRESTRICTED FUND BALANCE	\$6,000,000.00
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TO:	H 387807 CAPITAL RESERVE FUND	\$5,000,000.00
TO:	H 387804 CAPITAL SOFTWARE RESERVE	\$ 500,000.00
TO:	H 387805 CAPITAL HARDWARE RESERVE	\$ 500,000.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 139-24 CORRECT PRIOR YEAR 2023 ARPA
OPERATING & CAPITAL APPROPRIATIONS

WHEREAS: American Rescue Plan Act “ARPA” Funds had been granted to Tioga County by the US Treasury in 2021 in the total amount of \$9,362,868; and

WHEREAS: Resolution No. 26-24 had re-established \$4,000,000.00 of ARPA funding in the 2024 Budget for the Radio Tower Upgrade Project; and

WHEREAS: As of 12/31/2023, there were \$340,031.73 of ARPA funds expended for the Radio Tower Upgrade Project, and the amount expended in 2023 must be corrected out of the originally re-established funds for 2024; and

WHEREAS: Legislative review and approval are required for any and all changes to the amount of ARPA funds designated to be appropriated; therefore be it

RESOLVED: That the authorized amount of ARPA funds to be spent for the Radio Tower Upgrade Project be corrected within the 2024 Budget to the following:

Capital Appropriations

H3021 521230 M7674 RADIO & EQUIPMENT	\$3,659,968.27
<i>Radio Tower Communications Upgrades</i>	

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 140-24 *CREATE AND FILL (1) FULL-TIME
DIRECTOR OF ENVIRONMENTAL HEALTH SERVICES
PUBLIC HEALTH*

WHEREAS: Legislative approval is required to create and fill a new or re-established position; and

WHEREAS: The Public Health Director has determined there is need of a Management/Confidential (M/C) position of Director of Environmental Health; and

WHEREAS: The Public Health Director has worked in conjunction with the Personnel Office in updating the previously used position description and to determine the appropriate classification for said title; therefore be it

RESOLVED: That one (1) full-time M/C position of Director of Environmental Health (M/C \$60,258 – \$70,258) be created and filled effective April 22, 2024, in accordance with payroll requirements.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 141-24 *CREATE AND FILL TEMPORARY, FULL-TIME CLERK
(SEASONAL) POSITION
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: Tioga County Public Health has need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support; and

WHEREAS: Public Health has funds available in the 2024 budget due to position vacancies to cover the expenditures of such employment; therefore be it

RESOLVED: That the Public Health Director is hereby authorized to create and fill one (1) temporary full-time Clerk (Seasonal) position effective May 6, 2024 through August 30, 2024 at an hourly rate range of \$15.00.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 142-24 *CREATE AND FILL THREE (3)
HIGHWAY WORKER (SEASONAL) POSITIONS
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ three (3) Highway Worker (Seasonal) positions for 2024; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill three (3) temporary full-time Highway Worker (Seasonal) positions effective April 15, 2024 through October 11, 2024 at an hourly rate of \$15.31 (equivalent to CSEA Grade 9), not to exceed \$30,000.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 143-24 *AUTHORIZATION TO CREATE AND FILL
ONE, FULL-TIME HEO I POSITION AND
ABOLISH ONE, FULL-TIME MEO II POSITION
PUBLIC WORKS*

WHEREAS: Legislative approval is required for the creation of any new position within Tioga County; and

WHEREAS: The Commissioner of Public Works has identified a staffing need for an additional HEO I position; and

WHEREAS: The Commissioner of Public Works feels that this position would aid in the retention of a skilled employee; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and promotional filling of one, full-time HEO I position (CSEA SG 3) effective April 22, 2024; and be it further

RESOLVED: That once the newly created HEO I position has been filled promotionally, it will create a vacant MEO III position that will also be filled promotionally. The Commissioner of Public Works will then abolish the vacant MEO II; and be it further

RESOLVED: That the HEO I position shall not represent an increase to the department's full-time headcount.

Legislator Standinger spoke. "Commissioner of Public Works Gary Hammond has examined the needs of his department, and this resolution fulfills those needs with minimal impact on his workforce."

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 144-24 AUTHORIZATION TO FILL PART-TIME
VETERANS SERVICE OFFICER POSITION WITHIN
THE VETERANS' SERVICE AGENCY

WHEREAS: The Tioga County Veterans Service Agency (TCVSA) has a current opening for a part-time Veterans Service Officer and the Director of TCVSA has completed interviewing of applicants for the position; and

WHEREAS: The Director of Veterans' Services has proffered an offer of employment to John Watson for the position, which he has accepted; therefore be it

RESOLVED: That the Director of Veterans' Services shall be allowed to fill said position provisionally pending the incumbent's successful completion of civil service requirements effective May 20, 2024; and be it further

RESOLVED: That the incumbent shall be paid at the rate of \$19.86 per hour, with a work week of 19.5 hours; and be it further

RESOLVED: That this resolution will be null and void if Mr. Watson fails to pass the County mandated criminal background check.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	ED&P COMMITTEE PERSONNEL COMMITTEE
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RESOLUTION NO. 145-24	<i>AUTHORIZE APPOINTMENT TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING POSITION</i>
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WHEREAS: The Director of Economic Development and Planning position will become vacant on May 4, 2024, due to the retirement of the current Director of Economic Development and Planning, LeeAnn Tinney; and

WHEREAS: The Legislature has determined Brittany Woodburn to be a qualified candidate; therefore be it

RESOLVED: Brittany Woodburn is hereby appointed to the position of Director of Economic Development and Planning effective May 6, 2024, at an annual salary of \$90,086; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Woodburn shall serve a promotional probationary period of twelve to twenty-six weeks.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 146-24 *AUTHORIZE APPOINTMENT TO
 DEPUTY DIRECTOR OF ECONOMIC DEVELOPMENT
 AND PLANNING POSITION*

WHEREAS: The Deputy Director of Economic Development and Planning position will become vacant on May 6, 2024; and

WHEREAS: The Director of Economic Development and Planning has identified present Economic Development Specialist (EDS) Megan Schnabl to be a qualified candidate; and

WHEREAS: The salary range for the Deputy Director of Economic Development and Planning is determined to be \$58,904 - \$68,904; and

WHEREAS: Megan Schnabl has served as the EDS since September 3, 2019; and

WHEREAS: Ms. Schnabl has proven experience specific to the operations of the Department, and has the ability to train and oversee the work of her replacement as EDS; and

WHEREAS: Ms. Schnabl has exhibited the ability to serve as backup to the current Deputy Director of the Economic Development and Planning Department; and

WHEREAS: Ms. Schnabl's experience and expertise warrants an annual salary above the established base for the Deputy Director position; therefore be it

RESOLVED: That the Director of Economic Development & Planning is hereby authorized to appoint Megan Schnabl, who is eligible and willing to accept the appointment of Deputy Director of Economic Develop and Planning at an annual salary of \$65,000 effective May 6, 2024; and be it further

RESOLVED: That said appointment shall be provisional pending the outcome of a civil service test examination.

Legislator Mullen spoke. "I would like to address this resolution and the one prior appointing the Director of Economic Development & Planning. First, I would like to say that we have two highly qualified and enthusiastic County employees that are being promoted and they are very, very effective in their jobs and that is a direct result of ED&P Director LeeAnn Tinney's mentorship and leadership. Even though LeeAnn is retiring; well-deserved and I hope nothing but the best for her we will deal with that next month. I do want to say thank you and we are very lucky for a County of our size for the development we have had, at least of what I can speak of through direct knowledge of the eight years I have been on the Legislature. It has been nothing short of amazing to me and I know as these two young professionals move up that they will carry on with the tradition and the dedication of the people that LeeAnn has instilled in them. I know both Brittany and Megan will do a great job."

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 147-24 *AUTHORIZE ONE-TIME STIPEND
(LEGISLATIVE OFFICE)*

WHEREAS: The Tioga County Legislative Clerk is responsible for performing statutory duties imposed by County Law and other applicable laws and directives of the Legislature; and

WHEREAS: The Tioga County Legislative Clerk was directed by the Legislature to take on additional duties that required her to work additional days/hours; and

WHEREAS: The Tioga County Legislature would like to recognize these additional duties in a form of a one-time stipend; therefore be it

RESOLVED: That Cathy Haskell, Tioga County Legislative Clerk, be given a one-time stipend of \$3,000, to be paid in payroll #9, as set forth in the County budget.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 148-24 *AMEND RESOLUTION NO. 193-18; AS AMENDED BY RESOLUTION NO. 45-23; AS AMENDED BY RESOLUTION NO. 255-23; AS AMENDED BY RESOLUTION NO. 296-23; AS AMENDED BY RESOLUTION NO. 366-23; ADOPTION OF TIOGA COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA TRANSITION PLAN AND EMPLOYEE TRAINING PLAN*

WHEREAS: The Tioga County Legislature adopted the Tioga County Title VI Plan, Environmental Justice Plan, Limited English Proficiency Plan, Data Collection Plan, ADA Transition Plan, and Employee Training Plan by way of Resolution No. 193-18 on August 17, 2018, and amended the Plan by way of Resolution No. 45-23 on

January 10, 2023, and Resolution No. 255-23 on June 13, 2023, and Resolution No. 296-23 on July 11 2023, and Resolution No. 366-23 on September 12, 2023; and

WHEREAS: The County's Equal Employment Opportunity/Affirmative Action/ADA Policy in the Employee Handbook is incorporated in the adopted Tioga County Title VI Plan; and

WHEREAS: The Equal Opportunity Commission adopted the Pregnant Workers Fairness Act requiring state and local governments with more than fifteen (15) employees to make "reasonable accommodations" to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship"; and

WHEREAS: The Equal Employment Opportunity/Affirmative Action/ADA Policy warrants revisions in several areas; therefore be it

RESOLVED: That this resolution shall amend Resolution No. 193-18, as amended by Resolution No. 45-23, as amended by Resolution No. 255-23, as amended by Resolution 296-23, as amended by Resolution No. 366-23 with the following revisions to the Tioga County Title VI Plan to read as follows:

- PWFA added to the title of the EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA POLICY
- Addition of Section VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law
- Addition of Section VII. Pregnant Workers Fairness Act
- Addition of Section VIII. Forms

VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibits discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

VII. Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with fifteen (15) or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

VIII. Forms

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

And be it further

RESOLVED: That the remainder of the Tioga County Title VI Plan remains unchanged.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 149-24 *AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES, SUBSECTION K.
ENTITLED EQUAL EMPLOYMENT OPPORTUNITY/
AFFIRMATIVE ACTION/ADA/PWFA POLICY*

WHEREAS: The Equal Opportunity Commission adopted the Pregnant Workers Fairness Act (PWFA) requiring state and local governments with more than fifteen (15) employees to make "reasonable accommodations" to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship"; and

WHEREAS: The Personnel Officer in conjunction with the County Attorney has reviewed the Employee Handbook for compliance with the County's Title VI Plan and has identified the need to amend Section IV. Personnel Rules, Subsection k. Equal Opportunity/Affirmative Action/ADA Policy with revision of the policy title to

include PWFA and addition of Sections VI., VII., and VIII. due to the newly adopted PWFA; therefore be it

RESOLVED: That the EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA Policy is retitled and is hereby amended to read as follows:

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA/PWFA POLICY

And be it further

RESOLVED: That this policy is hereby amended with the addition of Section VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law, Section VII. Pregnant Workers Fair Act, and Section VIII. Forms to read as follows:

VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibits discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

VII. Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with fifteen (15) or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

VIII. Forms

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

And be it further

RESOLVED: That the remainder of Section VI. Personnel Rules, Subsection k. Equal Employment Opportunity/Affirmative Action/ADA/PWFA Policy remains unchanged.

K. EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION / ADA / PWFA POLICY (FORMERLY POLICY #48)

TIOGA COUNTY
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA/PWFA POLICY

- I. Policy Statement
- II. Policy Objective
- III. Implementation Responsibilities
- IV. Discrimination Complaint Procedure
- V. Accessibility Complaint Procedure
- VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law
- VII. Pregnant Workers Fairness Act
- VIII. Forms

I. Policy Statement

The County of Tioga provides equal opportunity to all individuals in its personnel and employment practices. The County prohibits discrimination on the basis/because of race, color, religion, age (18 and up), national origin, citizenship status, ethnicity, marital status, familial status, creed, gender, sexual orientation, disability, pregnancy or any other basis prohibited by law. Furthermore, services provided by Tioga County shall be accessible to all eligible County residents without discrimination.

This policy of equal employment opportunity/affirmative action:

- Applies equally to all job classifications and titles in the County and to all types of appointments under County jurisdiction, whether full-time, part-time, temporary or other.
- Governs all County employment policies, practices, and actions including, but not necessarily limited to: recruitment, employment, rate of pay or other compensation, advancement, reallocation, promotion, demotion, termination, leaves of absence, training and employee benefits of whatever nature.
- Applies equally to all County departments.
- Applies to all County facilities and programs.

It is the policy of Tioga County to comply with all Federal, State, and local anti-discrimination laws.

II. Policy Objective

To preclude discriminatory practices in all phases of employment on Tioga County government, including all terms, benefits and conditions thereof, the County is committed to nondiscriminatory and appropriate recruitment, selection, appointment, placement, classification, compensation, training, promotion, upward mobility, termination, resignation, and retirement.

To preclude discriminatory practices in all phases of program administration to the Tioga County community.

The County will take measures to develop and implement an effective system to communicate the County's Equal Employment Opportunity to employees, job applicants and residents.

To provide a procedure for addressing and resolving complaints of discriminatory conduct and harassment.

III. Implementation Responsibilities

A. Personnel Officer: The Personnel Officer shall have the ultimate authority and responsibility for ensuring that the objectives of the County EEO/Affirmative Action/ADA/PWFA policy are met with regard to employment practices, and for enforcing Federal and State equal employment opportunity and anti-discrimination laws within County government. Specific responsibilities include, but are not limited to:

- Effectuating corrective action, to the extent permissible under Federal, State, and County laws, collective bargaining agreements, and as otherwise deemed necessary to implement the objectives of this policy and the fact-finding determinations resulting from any investigation.
- Reviewing and approving all goals and objectives of the EEO/Affirmative Action/ADA/PWFA Policy.
 1. Providing administrative oversight for development and implementation of the EEO/Affirmative Action/ADA/PWFA Policy.
 2. Monitoring personnel procedures and policies that relate to recruitment, classification, compensation, training, resignation, retirement, and other terms, conditions, and benefits of employment.
 3. Ensuring distribution of the EEO/Affirmative Action/ADA/PWFA Policy to all new hires through the New Employee Orientation process.
 4. Consulting with the County Attorney and outside counsel, as needed, on the overall policy, plan, and program administration.

B. Commissioners/Department Heads/Appointing Authorities (“Department Heads”): Department Heads are generally responsible for ensuring that the County’s EEO/Affirmative Action/ADA/PWFA Policy is fully implemented within their departments. Specific responsibilities include, but are not limited to:

- Disseminating the EEO/Affirmative Action/ADA/PWFA Policy to their employees on an on-going basis.
- Ensuring the implementation of any actions as determined or requested by the Personnel Officer, with regard to attaining the goals of the EEO/Affirmative Action/ADA/PWFA Policy within their department, including corrective actions.

C. County Attorney: The County Attorney shall be the recipient of all complaints filed under this policy and shall arrange for necessary investigations, in consultation with the County Legislative Chair.

D. ADA Coordinator(s): The ADA Coordinator(s) is responsible for investigation of all issues of accessibility to County buildings and shall forward recommendations on issues/problems requiring legislative action through the County Attorney to the Legal, Finance and Safety Committee.

IV. Employment Discrimination Complaint Procedure

Tioga County has a zero-tolerance policy against discrimination. Employees are expected to report incidents of discrimination, whether affecting them or anyone else, as soon as possible after its occurrence.

Complaints may be filed with a supervisor, Department Head, Personnel Officer, or County Attorney. It is the employee’s choice as to where to file. The incumbents of all of the above listed positions eligible to receive such complaints are obliged to promptly document the complaint and forward it to the County Attorney & Personnel Officer in order to initiate an investigation. In the event such complaint shall involve the County Law Department, then any investigation shall be coordinated by the Personnel Officer. In the event such complaint shall involve the Personnel Department, then any investigation shall be coordinated by the County Attorney.

Any complaint of discrimination from an employee or applicant for employment shall be handled in the same manner as outlined in the Title VI Plan: Title VI Complaint Procedures. The Tioga County Title VI Complaint Form can be found on the County’s website under County Attorney-Compliance Reporting Forms or by using the link below:

<https://www.tiogacountyny.gov/media/t5foh1yh/civil-rights-complaint-form.pdf>.

In addition, complaints may be filed with the New York State Division of Human Rights regional office located at: 44 Hawley Street, Room 603, Binghamton, New York 13901 or emailed to complaints@dhr.ny.gov.

V. Accessibility Complaint Procedure

Tioga County will make every effort to ensure all facilities meet Federal guidelines for accessibility. Employees are expected to report problems in this regard, whether affecting the public or themselves promptly.

Complaints may be filed with a Supervisor, Department Head, County Attorney or Personnel Officer. The incumbents of all the above listed positions are eligible to receive such complaints and are obliged to document the complaint and forward it to the ADA Coordinator(s) to allow for investigation and coordination of avenues to correct or mitigate identified issues.

VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibit discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

VII. Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with 15 or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

VIII. Forms

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "Before we adjourn, I cannot let her go without an official good-bye. Director of ED&P LeeAnn Tinney's last day is May 3, 2024. I ask that you stand with me and give her a hand of applause. Thank you for your service."

ED&P Director Tinney spoke. "I would like to thank the Legislature for their support over the years. I very much appreciate it. It has been great. To Legislator Mullen, thank you for the words you spoke of Brittany Woodburn and Megan Schnabl. I would like to thank the Legislature for recognizing the need for succession planning and being open and willing to promote from within. As Legislator Mullen mentioned, Brittany and Megan are two highly qualified young professionals that will do a great job and I appreciate you recognizing the opportunity and the need to support those we are bringing up from within the County. Thank you."

Meeting was adjourned at 12:37 P.M.

Public Hearing
*Restore NY Communities Initiative Round 8 Application for Temple &
Liberty Street Reconstruction and North Ave. Rehabilitation*
April 18, 2024

The Public Hearing on Restore NY Communities Initiative Round 8 Application for Temple & Liberty Street Reconstruction and North Ave. Rehabilitation was called to order by the Chair at 10:00 A.M. Legislators Brown, Ciotoli, Flesher, Mullen, Roberts, and Sauerbrey were in attendance with Legislator Monell arriving at 10:01 a.m. and Legislator Standinger being absent.

There were eight people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Megan Schnabl, Economic Development Specialist, of the Economic Development & Planning Department spoke. "Tioga County Economic Development & Planning (ED&P) is preparing an application to the Restore NY Program where Tioga County will be the applicant and the Tioga County Property Development Corporation (Land Bank) will be the developer. The funds will be used to reconstruct five (5) single-family homes on Temple and Liberty Streets in the Village of Owego and rehabilitation for 81 North Ave. in the Village of Owego for first floor commercial space with residential apartments on the second and third floors."

Mark Trabucco, Village of Owego resident and Chair of the Zoning Board of Appeals spoke. "I have a couple of questions. First, is the tax base of Owego ever taken into account by the County when you purchase buildings and take properties off the tax rolls?"

Chair Sauerbrey spoke. "I do not believe that we have. I believe the 81 North Ave. property could end up in private hands. The other properties will be single-family homes and I believe they will be privately owned so they will go back on the tax rolls."

Megan Schnabl spoke. "The intent of the Land Bank is to sell the single-family homes and to transfer the 81 North Ave. property into a for-profit, therefore, all of the properties going back on the tax rolls."

Mark Trabucco spoke. "Are the five (5) single-family homes presumably destined to have retail on the first floor or are they just single-family homes?"

Megan Schnabl spoke. "The five (5) single-family homes will just be single-family homes and the property located at 81 North Ave. is currently a mixed-use building putting commercial use back on the first floor and residential on the two above floors."

Mark Trabucco spoke. "That would be wonderful, but you cannot touch the front windows."

Megan Schnabl spoke. "We have to go through the State Historic Preservation Office (SHPO) process, and we are working with them on all the historic elements of the building."

Mark Trabucco spoke. "The area around the new construction of the Neighborhood Depot across from Home Central is there anything there still on the tax rolls? That is the last buildable spot, to my knowledge, this side of the river and it is not on the tax rolls, and it is huge. That is my concern. We need to provide services for all these people who do not pay taxes and we have to have some tax base to do that."

There being no further comments, the hearing was adjourned at 10:05 A.M.

Fifth Regular Meeting
May 14, 2024

The Fifth Regular Meeting of 2024 was held on May 14, 2024 and was called to order by the Chair at 12:02 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked Legislator Flesher to have a moment of prayer. "Dear Lord, we thank you for the opportunity you have given us to lead our County and our constituents. We ask for your continued wisdom and due diligence in our decision-making. We also would like to honor and remember those that have come before us and those we have lost."

Legislator Flesher led all Legislators and those in attendance in the Pledge of Allegiance.

There were 44 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following two recognition resolutions, seconded unanimously and carried.

Legislator Standingger spoke. "I don't know if you noticed, but there is an empty chair next to me; that is where Legislator Weston used to sit. So, before I read this resolution, I just want to say a couple of things. I thought about what I would say about Dale and there are three words that come to mind: unpretentious, humble, and honest and I think that kind of sums him up. If we can all be as good as him, the world would be a better place."

Legislator Standingger read and presented the following resolution to Joan Weston and her family recognizing former District #6 Legislator, Dale N. Weston posthumously.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 150-24 *RECOGNITION RESOLUTION RECOGNIZING
DALE N. WESTON POSTHUMOUSLY*

WHEREAS: Legislator Dale N. Weston passed away on April 2, 2024; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Dale N. Weston for his dedicated service and leadership as a Tioga County Legislator for the last 20 years; and

WHEREAS: Dale was elected to the position of Tioga County Legislator District #6 on January 1, 2005 and was successfully re-elected every term thereafter; and

WHEREAS: During his tenure as a Tioga County Legislator, Dale served as the Chair of the Legislature from January 1, 2007 – December 31, 2013 leading the County through the historic 2011 Flood, closing and selling of the Barton Transfer Station, relocation of the Department of Motor Vehicles back to the County Office Building just to name a few; and

WHEREAS: Dale was recognized by his fellow Legislators at the January 14, 2014 First Regular Legislature Meeting by way of Resolution No. 13-14 for his seven years of steadfast dedicated service and leadership as Chair of the Tioga County Legislature; and

WHEREAS: On January 1, 2016, Dale was appointed as Deputy Chair of the Legislature; a position he held for seven years until December 31, 2022; and

WHEREAS: During the last 20 years, Dale has served with 23 different Legislators with whom they shared a mutual respect; and

WHEREAS: Over the course of his Legislative career, Dale served on the Agriculture, Economic Development & Planning, Finance, Legal & Safety, Personnel, Public Safety, and Public Works Legislative Standing Committees; serving as Chair of the Agriculture, Economic Development & Planning, Public Safety, and Public Works Committees with his longest running term as Chair of Economic Development & Planning for seven years; and

WHEREAS: Dale was always willing to step in and serve where needed as a Legislative representative on outside agency boards. One that Dale was most passionate about and proud to serve on was the Tioga County Soil & Water Conservation District Board of Directors where he served from 2005 – 2023 and held the position of Chair of the Board from 2014-2023.

Coinciding with his term as Chair of the Board, Dale also served as Soil & Water's representative on the Ag & Farmland Protection Board. Additionally, Dale served on the Tioga Tobacco Asset Securitization Corporation Board from 2005 – 2024 and held the position of Chairman coinciding with his years served as Chair of the Legislature, NYS Fish & Wildlife Management Board from 2014-2022 where he was able to serve with his long-time friend, William J. Woods, Jr., and the Tioga County Property Development Corporation (Land Bank) from 2017 –2019; and

WHEREAS: Dale was extremely dedicated and loyal in the performance of his duties and responsibilities as a Legislator and was very well-respected by his peers; and

WHEREAS: Prior to being a Tioga County Legislator, Dale served on the Tioga County Industrial Development Agency from 1993 –1998; and

WHEREAS: As a Tioga County Legislator, Town of Spencer Board member, Educator, Coach, Leader, Mentor, Community Member, Business Owner, and especially Friend, Dale's influence has been spread across many generations leaving an impact on all who knew him; and

WHEREAS: Dale was very proud of his hometown community of Richford, NY where he grew up and his Spencer, NY community where he retired as a schoolteacher, owned and operated two current successful businesses, and where he and his wife co-chaired the Nichols Park Pond Project spending countless hours dedicated to this community project; a legacy for the Spencer community to enjoy for years to come; and

WHEREAS: Dale is survived by his wife of 60 years, Joan, and his son, Brent; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Dale N. Weston posthumously for his years of dedicated service and leadership to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Dale N. Weston.

ROLL CALL VOTE

Unanimously Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standing, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing spoke. "That was a pretty lengthy dissertation, but Dale was a special guy. I can say that he taught me a lot about how to do this job from my prior job in law enforcement. I am glad that he sat next to me and taught me how to do things here."

Joan Weston spoke. "Thank you for your recognition of Dale's service to the residents of Tioga County. It was especially important to him that those in the rural areas had a voice. We all know there is always work to be done and that you will be challenged to step up to the plate in his absence. You will need to pose difficult questions and present unique ideas for solving problems. On the lighter side, someone will need to adopt the role of storyteller. Another will need to raid the candy dish more often. Someone will need to schedule the lunches at Mario's, and everyone will need to smile more often.

"Brent and I are very grateful for your support of Dale throughout these challenges. The cards and many poignant comments have been heartwarming and the generous gift from the Legislature for the Nichols Park Pond Project in his memory is a perfect tribute.

"I hope you all will visit Spencer and enjoy the pond site where there is clear evidence of what can be done when thoughtful deeds are paid forward. Thank you."

Chair Sauerbrey reported the following recognition resolution will be noted for the minutes and mailed to Mrs. Smith following today's meeting.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 151-24 *RECOGNITION RESOLUTION RECOGNIZING
TODD E. SMITH POSTHUMOUSLY*

WHEREAS: Todd E. Smith passed away on April 8, 2024; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Todd E. Smith for his years of dedicated service as a Tioga County Legislator; and

WHEREAS: Todd E. Smith was elected to the position of Tioga County Legislator District #7 on January 1, 1999 and was successfully re-elected up until his resignation on September 30, 2003; and

WHEREAS: Over the course of his Legislative career, Todd E. Smith served with thirteen different Legislators and was Chair of the of the Information Technology and Administrative Services, Purchasing, ADA & Safety, Right to Know, and DWI Legislative Standing Committee from 1999-2001, Chair of Finance/Legal and Capital Projects Legislative Standing Committee from 2002-2003, and served on the Health & Human Services, Personnel, and Public Works Legislative Standing Committees; and

WHEREAS: Todd E. Smith was extremely dedicated and loyal in the performance of his duties and responsibilities as a Tioga County Legislator; and

WHEREAS: In addition to his time served as a Tioga County Legislator, Todd E. Smith also served many roles in local government as a town councilman, town supervisor, and magistrate in Newark Valley, NY; and

WHEREAS: Todd E. Smith was very involved in the Ti-Ahwaga Players of Owego, NY through acting, directing, and designing and building sets; and

WHEREAS: Todd E. Smith is survived by his wife of 40 years, Joan Stoughton Smith and his sons Ira T. Smith and Kenneth R. Smith, and granddaughter Wren Lee Smith; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Todd E. Smith posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Todd E. Smith.

ROLL CALL VOTE

Unanimously Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have three Proclamations; **American Stroke Month in Tioga County** that will be read by Legislator Standinger and presented to Katie Wait, Public Health Educator, and **Foster Care Recognition Month** and **Mental Health Awareness Month & Children's Mental Health Week (May 5th – 11th)** that will be noted in the minutes.

Legislator Standinger spoke. "I have traditionally read this proclamation in May and that is when I had a stroke myself in 2009, which is why I am here today and why I sit at this table instead of behind my desk at the State Police barracks. I certainly do not wish that illness on anybody. Strokes are pretty nasty things, and it is pretty rare that you survive as well as I did. I think it is because I am just a stubborn guy and, of course, Weston encouraged me a lot to do the best I could, and I am trying to do it."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States; and

WHEREAS: In Tioga County stroke has a mortality rate of 21.5 per 100,000 population according to data from 2018-2020; and

WHEREAS: High blood pressure, high cholesterol, smoking, obesity, and diabetes are leading causes of stroke and one in three Americans has at least one of these conditions or habits; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Ninety-three percent of Americans recognized that sudden numbness on one side is a symptom of stroke, but only 38% were aware of all major symptoms and knew to call 9-1-1 when someone was having a stroke; and

WHEREAS: Patients who arrive at the emergency room within 3 hours of their first symptoms often have less disability 3 months after a stroke than those who received delayed care; and

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of May 2024 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "That being said, I can tell you that when I had my stroke, I had no idea what was going on. Fortunately, someone recognized that I was having a problem and got me the help I needed. Twelve days in a prison of a hospital was my reward for that, but I would guess my reward is that I am able to sit here today and do what I do."

Public Health Educator, Katie Wait spoke. "Thank you, Legislator Standinger. I just wanted to thank the Legislature for their continued support of recognizing May as American Stroke Month. As Legislator Standinger mentioned, it is quite devastating so that is why we continue to do this and really raise awareness of what the warning signs are so that if you or someone else were experiencing a stroke you can definitely call 9-1-1 to get the care needed to minimize disability. Thank you."

Chair Sauerbrey spoke. "Bill, you are our hero today. You are a good witness, paying attention, recovering, and just being on the ball, so thank you for being a representative for that cause."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The Tioga County foster family serves as a source of safety, love, self-esteem, and support for children in Tioga County; and

WHEREAS: There are 42 children in foster care in Tioga County, 34 of these children are in foster homes, with 11 being in relative foster home placements; and

WHEREAS: We have 16 certified foster homes in Tioga County with 7 of them being approved relative homes; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim May 2024, as

FOSTER CARE RECOGNITION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

Mental Health Awareness Month & Children's Mental Health Awareness Week

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable.

WHEREAS: There is evidence that early intervention, family-centered care for children, and person-centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive, and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing, and recovery for the citizens of Tioga County who experience symptoms of mental illness, and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity, and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2024 as *Mental Health Awareness Month* and May 5th – 11th, 2024 as *Children's Mental Health Awareness Week* in Tioga County.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of April 9 and 18, 2024, seconded by Legislator Brown and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 152-24 APPOINT REAP BOARD MEMBER

WHEREAS: The By-Laws of the REAP Board require that the Legislature nominate one person to act as its member in the REAP Board of Directors; and

WHEREAS: Abbey Ortu resigned from the REAP Board September 13, 2023; and

WHEREAS: Sean Lanning, Community Development Specialist, is willing to serve a two-year term on the REAP Board of Directors; therefore be it

RESOLVED: That Sean Lanning, Community Development Specialist, be hereby appointed to the REAP Board for a two-year term from May 14, 2024 through May 13, 2026.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 153-24 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period October 1, 2023 to March 31, 2024 be and it hereby is accepted; and be it further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 13,682.59
Berkshire (Town)	3,902.14
Candor (Town)	13,690.41
Candor (Village)	2,862.47
Newark Valley (Town)	10,661.30
Newark Valley (Village)	3,326.10
Nichols (Town)	3,161.45
Nichols (Village)	2,595.80
Owego (Town)	75,427.83
Owego (Village)	19,196.35
Richford (Town)	4,639.36
Spencer (Town)	7,297.79

Spencer (Village)	2,309.04
Tioga (Town)	10,727.82
Waverly (Village)	<u>13,638.41</u>
	\$187,118.86

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 154-24 *RESOLUTION OPPOSING SENATE BILL S4545/
ASSEMBLY BILL A3069 ATTEMPTING TO
CONSOLIDATE THE 109 INDUSTRIAL DEVELOPMENT
AGENCIES INTO 10 REGIONAL INDUSTRIAL
DEVELOPMENT AGENCIES*

WHEREAS: Senator Skoufis sponsored Senate Bill S4545 and Assemblywoman Wallace sponsored Assembly Bill A3069 as Acts to amend General Municipal Law, in relation to establishing ten (10) regional Industrial Development Agencies; and to repeal certain provisions of such law relating thereto; and

WHEREAS: Said Acts would force the Tioga County Industrial Development Agency (TCIDA) to be consolidated into the “Southern Tier Region” covering a seven (7) county Economic Development Region consisting of Tioga, Steuben, Schuyler, Tompkins, Chenango, Broome, and Delaware Counties; and

WHEREAS: Said Acts sponsoring memos provide very limited justification for this legislation by mentioning only concerns regarding IDA applicants “shopping around” amongst IDA’s with overlapping jurisdiction to attempt to obtain the “best deal”; and

WHEREAS: The local IDA members have vested interests in the communities in which they live and are far more knowledgeable of the local economic development priorities as compared to a 15-member regional agency spanning counties; and

WHEREAS: Many of these 15 appointed members of the regional agency could not be expected to be familiar with Tioga County and the communities served by our local IDA; and

WHEREAS: Accountability for actions taken by Industrial Development Agencies should be vested in individuals who love and work in affected communities and understand the local economic development landscape; and

WHEREAS: Neither the Tioga County IDA nor the Tioga County Legislature is aware of any attempted instances of “shopping around” within the County and furthermore do not believe that this is a widespread issue across New York State; and

WHEREAS: The Tioga County Legislature agrees with the Tioga County IDA that keeping local decision-making on important economic development priorities is imperative and a pillar of local government control accountable to its residents; therefore be it

RESOLVED: That the Tioga County Legislature hereby opposes Senate Bill S4545 and Assembly Bill 3069 that attempt to consolidate all 109 Local Industrial Development Agencies into ten (10) Regional Industrial Development Agencies; and be it further

RESOLVED: That the Clerk of the Legislature shall forward certified copies of this resolution to Governor Kathy Hochul, Senator Thomas F. O’Mara, Assemblyman Christopher S. Friend, New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

Legislator Mullen spoke. “In my opinion, this is a very egregious breach of Home Rule, and I am glad that we are opposed to it.”

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 155-24 *AWARD BID FOR EMERGENCY PREPAREDNESS
SMARTPHONE APPLICATION
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services sought bids for Emergency Preparedness Smartphone Application for Tioga County Fire & Emergency Management; and

WHEREAS: The Tioga County Office of Emergency Services received sealed bids on April 15, 2024; and

WHEREAS: Tioga County Office of Emergency Services has determined that OCV, LLC / MyEMAA.com is the lowest responsible bidder in substantial and material compliance with the bid specifications:

Mobile App Development (iOS and Android)	\$13,000
Year 1 Support & Maintenance	\$ 6,995/year
Two additional years of Support & Maintenance	<u>\$13,990</u>
	\$33,985

Therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid to OCV, LLC / MyEMAA.com, the lowest responsible bidder in material and substantial compliance with the bid specifications, and authorizes the Chair of the Legislature to sign a contract, upon County Attorney review, for \$33,985.00 to be paid out of Account A3360.540140.DT22 Contracted Services.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 156-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON CONTRACTS FOR PROFESSIONAL SERVICES WITH DELUGE MEDIA TO CREATE TWO PROMOTIONAL VIDEOS*

WHEREAS: Tioga County Sustainability would like hire Deluge Media to produce two educational/outreach videos on waste reduction in Tioga County; and

WHEREAS: These professional services will be produced prior to December 31, 2024, for the total cost of \$10,480 for the two videos; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Legislative Chair or their designee to enter into these agreements with Deluge Media as approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 157-24 *AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CASELLA WASTE SYSTEMS, INC. TO ACCEPT HOUSEHOLD ELECTRONIC WASTE FROM TIOGA COUNTY RESIDENTS*

WHEREAS: In April 2020, Taylor Garbage stopped accepting electronic waste for recycling at their transfer station in Owego due to COVID; and

WHEREAS: On August 1, 2023, Casella Waste Systems, Inc. purchased Taylor Garbage; and

WHEREAS: Tioga County Sustainability has an electronic waste recycling outlet for residents through their Household Hazardous Waste program; however, Broome County Solid Waste will be eliminating the collection of electronics from Tioga County residents in the next contract in 2025; and

WHEREAS: Tioga County Sustainability would like to enter into an agreement with Casella Waste Systems, Inc. where Tioga County residents can drop off their household electronic waste at no charge; and

WHEREAS: Tioga County Sustainability will pay for the recycling costs for household electronic waste brought to Casella Waste Systems, Inc. transfer station located at 352 Glen Mary Drive, Owego, NY; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said agreement; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the said agreement upon its approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 158-24 *AUTHORIZATION TO RENEW CONTRACT WITH THOMSON REUTERS (WESTLAW) FOR A ONE YEAR SUBSCRIPTION TO WEST PROFLEX*

WHEREAS: The County is desirous of renewing a contract with Thomson Reuters (Westlaw) for a subscription to their legal research service starting July 1, 2024, through June 2025 at a cost of \$12,324.12; and

WHEREAS: The services provided through this subscription will be utilized by personnel in the County Attorney's office, Public Defender's office, District Attorney's office, and Department of Social Services; therefore be it

RESOLVED: That the County Attorney is authorized to execute a renewal contract with Thomson Reuters for a one-year subscription to WEST PROFLEX legal research services for the period of July 1, 2024 through June 2025 at a cost of \$12,324.12.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 159-24 *AUTHORIZE CONTRACT WITH THOMSON REUTERS
SHERIFF'S OFFICE*

WHEREAS: The Sheriff's Office has a need to enter into a five-year contract with Thomson Reuters for the CLEAR Proflex Program at an amount not to exceed \$16,580.40 during this period; and

WHEREAS: The County Attorney has reviewed and approved this contract; and

WHEREAS: Legislative approval is needed to be in compliance with County purchasing policies; therefore be it

RESOLVED: That the Tioga County Sheriff's Office is authorized to contract with Thomson Reuters for the CLEAR Proflex Program for the five-year period at an amount not to exceed \$16,580.40.

Legislator Standinger spoke. "I am going to vote no on this resolution as I am concerned about oversight of this program."

Legislator Mullen spoke. "I echo Legislator Standinger's comments. The reports are 52 pages long and they give absolutely everything about a person's background. I do not believe there are enough checks and balances in place. I would be in favor of this program for the Sheriff's Office when the checks and balances are in place and that there is proper oversight, and that conversation has been started with the County Attorney. The amount of information that comes out of one of these reports is mind-boggling and without the ability to say that a report is attached to a specific investigation albeit a background or criminal investigation, and without the proper checks and balances in place, I will also be voting no on this resolution."

Legislator Flesher spoke. "I would just like to say that I agree with both Legislator Standinger's and Mullen's opinions. There should absolutely be checks and balances, but also this is a program that I believe the Sheriff's Office needs to have to be able to utilize proper background and criminal checks, so I will be voting yes with the caveat that I feel we should implement some reasonable checks and balances for the use of this program."

Legislator Roberts spoke. "Now, that the Legislature is aware of this we will address a policy for this program."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Roberts, Sauerbrey, Brown, and Ciotoli.

No – Legislators Mullen and Standinger.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 160-24 *AUTHORIZE CONTRACT EXTENSION WITH
TRIAD GROUP, LLC FOR WORKERS'
COMPENSATION ADMINISTRATION*

WHEREAS: The Tioga County Self-Insurance Plan has been using the services of Triad Group, LLC (Triad) as the workers' compensation third-party administrator (TPA) since June 1, 2020, when Triad was selected through a Request for Proposal (RFP) in the first quarter of 2020; and

WHEREAS: The RFP was to select a TPA for a three-year period with the option for a one-year renewal up to two years; and

WHEREAS: Triad has a dedicated in-house team of claims adjusters, nurse case managers, legal representatives, and medical bill auditors that work together to provide effective proactive management on all workers' compensation claims; and

WHEREAS: Triad communicates with all representatives of the Tioga County Self-Insurance Plan to ensure that cases are handled appropriately; and

WHEREAS: Tioga County Self-Insurance Plan has approximately fifty open or reopened claims and continuing with Triad will ensure continuity of claims handling; and

WHEREAS: Triad submitted a one-year contract extension for June 1, 2024, through May 31, 2025, at an annual cost of \$31,000, with a 0% rate increase over prior year; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to contract with Triad, subject to review by the County Attorney, to continue as the third-party administrator for the Tioga County Self-Insurance Plan for the period of June 1, 2024, through May 31, 2025; and be it further

RESOLVED: That the cost of this contract will be paid out of the Tioga County Self-Insurance Fund Account S1720.540140.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 161-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Culvert Program Phase 1 (FFY 2022), PIN 9754.94 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design, Right-of-Way Incidentals, Right-of-Way Acquisition, Construction, Construction Support, and Construction Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVE: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction, Construction Support, and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$420,803 is hereby appropriated from account H51 10.520003.H1008 and made available to cover the costs of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement

requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 162-24

AUTHORIZATION FOR ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT GRANT APPLICATION TO RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND 8 ("RESTORE NY") GRANT FUNDING AND AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON GRANT RELATED DOCUMENTS FOR RECONSTRUCTION OF RESIDENTIAL HOMES ON LIBERTY STREET AND TEMPLE STREET AND REHABILITATION OF BUILDING AT 81 NORTH AVENUE, VILLAGE OF OWEGO

WHEREAS: Tioga County Property Development Corporation (TCPDC) intends to reconstruct single family residential homes on Temple Street and Liberty Street and rehabilitate a blighted, vacant mixed-use building at 81 North Avenue, in the Village of Owego; and

WHEREAS: Five single family residential homes will be constructed on Temple Street and Liberty Street, where blighted residential homes were demolished by TCPDC in 2022; and

WHEREAS: The mixed-use building at 81 North Avenue acquired by TCPDC in 2023 will be fully rehabilitated to house commercial space on the first floor and residential space on the second and third floors; and

WHEREAS: The Restore NY program is administered by NYS Empire State Development (ESD) and provides municipalities with financial assistance for the revitalization of commercial and residential properties and encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures; and

WHEREAS: This project is consistent with Tioga County's effort to revitalize commercial and residential properties that make up the downtown or "Main Street" areas of the County per Resolution No. 159-03; and

WHEREAS: The proposed financing is appropriate for this project; and

WHEREAS: This proposed project facilitates effective and efficient use of existing and future public resources to promote both economic development and preservation of community resources; and

WHEREAS: This project will develop and enhance infrastructure in a manner that will attract, create, and sustain employment; and

WHEREAS: Tioga County is proposing the submittal of an application under the Restore NY program of \$1,065,000.00 to assist TCPDC with the aforementioned project, with a match to be provided by the property owner; and

WHEREAS: The proposed project is an eligible activity under the Restore NY program and Tioga County, NY is an eligible entity to apply for and receive Restore NY funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said grant application of \$1,065,000.00 and upon award, authorizes the Chair of the Legislature to sign all grant-related contract and other paperwork, contingent upon review by the County Attorney.

Legislator Ciotoli spoke. "It has been a challenge for the Temple and Liberty Street properties, and I commend the Economic Development & Planning Department and everyone who has been involved to work through that so this can get done and back on the tax rolls."

Legislator Mullen spoke. "I echo Legislator Ciotoli's remarks completely. It has been a tremendous amount of work to get to this point and I am very pleased to see that we are at this point now."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 163-24 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT APPLICATION (SHSP24)*

WHEREAS: The NYS Department of Homeland Security/Federal Emergency Management Agency will be issuing a grant to the Tioga County Office of Emergency Services with no local share; and

WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the 2024 Homeland Security grant application and authorizes the Chair of the Legislature to sign such application after review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
 RESOLUTION NO. 164-24 *AUTHORIZE THE SUBMISSION OF
 2024 PSAP OPERATIONS GRANT
 SHERIFF'S OFFICE*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced the 2024 PSAP (Public Safety Answering Point) Operations grant funding, which has no county share; and

WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted; and

WHEREAS: The grant application deadline is June 12, 2024; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding and authorizes the Chair of the Legislature to sign such application after review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
 RESOLUTION NO. 165-24 *AUTHORIZE SUBMISSION OF STATEWIDE
 INTEROPERABLE COMMUNICATIONS FORMULA
 GRANT APPLICATION (SICG24)
 OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security and Emergency Services has issued a Statewide Interoperable Communications Formula Grant 2024. The grant will

be used for the maintenance and upgrading of the radio communications in the county and no local share is associated with said grant; and

WHEREAS: County Policy requires that permission be obtained prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the Statewide Interoperable Communications Formula Grant 2024 application and authorizes the Chair of the Legislature to sign any and all grant related paperwork upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	ITCS COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 166-24	<i>AUTHORIZE PARTICIPATION IN HGACBUY COOPERATIVE PURCHASING PROGRAM</i>
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WHEREAS: Tioga County is dedicated to the procurement of the right goods and services at the right price for the various County departments in a timely manner assuring the prudent and economical use of public monies; and

WHEREAS: Tioga County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended; and

WHEREAS: Tioga County's purchasing policy shall be administered in accordance with all ethical rules called for by the County of Tioga and the National Institute of Governmental Purchasing Code of Ethics; and

WHEREAS: HGACBuy Cooperative Purchasing Program serves government and non-profit organizations with a cooperative purchasing program whose procurement process meets or exceeds local purchasing requirements; and

WHEREAS: Tioga County purchasing procedures shall be subject to the approval of the Legislature; therefore be it

RESOLVED: That the HGACBuy Cooperative Purchasing program satisfies certain purchasing requirements and is hereby authorized for use by all Tioga County departments within the scope of Section VII – Purchasing and Payment Policy of the Tioga County Employee Handbook.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 167-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following event in May, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

May 20: "No One Left Behind" Onward Ops Information Session - \$500.00 (ETSSP Grant)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 168-24 *RESCIND RESOLUTION NO. 284-23;*
UPDATE PUBLIC HEALTH CHART OF ACCOUNTS

WHEREAS: Resolution No. 284-23 authorized the updating of Tioga County's chart of accounts; and

WHEREAS: Upon implementing these updates in the Munis test mode, it has been determined they will have detrimental impacts on historical and ongoing reporting; and

WHEREAS: Legislative approval is required to amend chart of accounts; therefore be it

RESOLVED: That Resolution No. 284-23 be rescinded, and the chart of accounts remain as they were prior to Resolution No. 284-23.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 169-24 *ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND 2024 BUDGET*

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C140049) in the amount of \$123,804.00; and

WHEREAS: The Tioga County ILS was awarded \$123,804.00 from 01/01/24 through 12/31/26; and this funding now needs to be appropriated; and

WHEREAS: New York State Indigent Legal Services refused to extend \$2,779.55 from Grant #10 so the appropriation needs to be adjusted to \$121,024.45; therefore be it

RESOLVED: That the ILS Grant #14 of \$121,024.45 be appropriated and the 2024 Budget be amended as follows:

Revenue Account: A1173 430260 State Aid- Indigent Grant \$ 121,024.45

Expense Account: A 1173 510010 Full Time Salary	\$ 52,000.00
A 1173 510020 Part Time Salary	\$ 28,220.45
A 1173 520200 Office Equipment	\$ 4,150.00
A 1173 540040 Books	\$ 3,000.00
A 1173 540140 Contracted Services	\$ 6,000.00
A 1173 540280 Investigations	\$ 12,000.00
A 1173 540420 Office Supplies	\$ 1,650.00
A 1173 540620 Software Expense	\$ 2,500.00
A 1173 540700 Transcripts	\$ 6,504.00
A 1173 540733 Training/All Other	\$ 1,700.00
A 1173 583088 Social Security Fringe	\$ 878.36
A 1173 584088 Workers Comp. Fringe	\$ 2,389.92
A 1173 588988 EAP Fringe	\$ 31.72

And be it further

RESOLVED: That available funds at year-end of the original \$121,024.45 be carried forward into future years until used.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 170-24 *AMEND 2024 BUDGET
CONTINGENCY TRANSFER REQUEST
LEGISLATIVE OFFICE*

WHEREAS: The Tioga County Legislative Office has identified a need for an additional Legislative Service Plaque Wall Display at the entrance of the Hubbard Auditorium, Ronald E. Dougherty County Office Building, 56 Main Street; and

WHEREAS: As there are no funding means within the A1010 Legislative budget, funds will need to be transferred from the Tioga County Contingency account in order to accommodate the cost of the procurement and installation of the Legislative Service Plaque Wall Display; and

WHEREAS: Amending of the 2024 Budget and the appropriation of Contingency account funds require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from the Contingency account as follows:

FROM:	A1990 540715 Contingency Transfer	\$8,000.00
TO:	H1010 520210 Other Furniture	\$8,000.00

And be it further

RESOLVED: That the following Interfund transfer be approved:

FROM:	A9950 593000 Transfer to Capital Fund	\$8,000.00
TO:	H1340 450310 Interfund Transfers	\$8,000.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 171-24	<i>AMEND BUDGET & APPROPRIATE FUNDS PUBLIC HEALTH</i>
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WHEREAS: Tioga County Public Health (TCPH) received reimbursement from a vendor for pass-through advanced grant funds they were unable to utilize; and

WHEREAS: TCPH has worked with the Treasurer's Office to restore the funds to the grant fund account to be used for other purposes in the grant deliverables; and

WHEREAS: Treasurer's Office has directed TCPH to go through the Resolution process to re-appropriate the funds; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053 422800	Grants - Non State or Federal	\$5,119.01
To: A4053 540640	Supplies (Not Office)	\$5,119.01

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 172-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: The Tioga County Advocacy, Support and Prevention (ASAP) Coalition was coordinated by CASA Trinity; and

WHEREAS: CASA Trinity is no longer involved with the ASAP Coalition, as of April 2024, causing the risk of losing this highly effective program for our County residents; and

WHEREAS: Tioga County Public Health (TCPH) has offered and been accepted to take over the coordination of the ASAP Coalition and related grant funding; and

WHEREAS: TCPH will receive the balance of the grants that fund the ASAP Coalition via pass-through from Tioga County Mental Hygiene; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From:			
	A4053 422800	Grants – Non State or Federal	\$141,845.79
To:			
	A4053 540487-ASAP	Program Expense	\$141,845.79

And be it further

RESOLVED: That the balance of this funding on 12/31/2024 be carried forward into the 2025 budget in the same budget lines.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 173-24 AMEND BUDGET & APPROPRIATE FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) receives grant funding for specific use toward the ASAP Coalition; and

WHEREAS: The annual grant funding awards are not aligned with the calendar year, so there is need to add an additional balance of funds into the 2024 budget; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4213 444863 CARA Federal Aid - CARA Grant \$12,550.92

To: A4213 540590 CARA Services Rendered – CARA Grant \$12,550.92

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 174-24 APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
MENTAL HYGIENE

WHEREAS: The Southern Tier Rural Integrated Performing Provider Systems, Inc. d/b/a Care Compass Network has made available resources intended to assist with initial expenses related to readiness for participation in a Social Care Network (the “1115 Waiver Readiness Program”); and

WHEREAS: Care Compass Network has awarded Tioga County Mental Hygiene funding for this 1115 Waiver Readiness Program; and

WHEREAS: The Department deems it to be in the best interest of the community to accept this grant funding to improve access to care; and

WHEREAS: The grant funding will be awarded as milestones are achieved and this funding is designated for specific program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it
RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4312 434900-WAIVR	State Aid Waiver Funding	\$ 10,000.00
To: A4312 540590-WAIVR	Services Rendered	\$ 10,000.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 175-24 *APPROPRIATION OF FUNDS*
AMEND 2024 BUDGET
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for the operation of the Child Advocacy Center; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

WHEREAS: Appropriation of these funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6050.436100	State-Child Advocacy Center	\$ 49,999.00
To: A6050.520090	Computer	\$ 6,744.00
To: A6050.520190	Nursing/Medical Equipment	\$ 3,650.00
To: A6050.520210	Other Furniture	\$ 10,930.00
To: A6050.540640	Supplies (Not Office)	\$ 2,000.00
To: A6050.540487	Program Expense	\$ 16,675.00
To: A6050.540733	Training/All Other	\$ 10,000.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 176-24 TRANSFER OF FUNDS
2024 BUDGET MODIFICATION
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has a need for a ProBook 450 G9 Business Laptop, a portable computer, for Assistant District Attorneys to take with them to local courts to document the proceedings; and

WHEREAS: Amending of Budget and Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That the District Attorney's 2024 budget be modified and the following sums be transferred from within the District Attorney's budget to cover the costs of said office furnishings.

From: A1165.540480	Postage	\$799.69
To: A1165.520090	Computer	\$799.69

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 177-24 APPORTIONING FORFEITURE OF CRIME PROCEEDS
FOR DRUG ENFORCEMENT ACTIVITIES

WHEREAS: Resolution No. 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Tioga County has received \$4831.00 from a drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Restitution to Broome County Drug Task Force for Buy Money	\$250.00
Tioga County District Attorney's Office (15%)	\$687.15
Tioga County Sheriff's Department (2%)	\$ 91.62
Broome County Drug Task Force (3%)	\$137.43
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$1465.92
Tioga County Sheriff's Department (36.375%)	\$799.84
Broome County Drug Task Force (38.625%)	\$849.32
Tioga County District Attorney's Office (25%)	<u>\$549.72</u>
	\$4831.00

And

WHEREAS: Appropriation of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250 Forfeiture of Crime Proceeds	\$ 2864.96
	A1165-426260 Forfeiture of Crime Proceeds Restricted	\$ 1074.58
	A3110-426260 Forfeiture of Crime Proceeds Restricted	\$ 91.62
	A3110-426250 Forfeiture of Crime Proceeds	\$ 799.84
TO:	A1165-540335 Asset Forfeiture Expense	\$ 2864.96
	A1165-540336 Asset Forfeiture Expense-Restricted	\$ 1074.58
	A3110-540336 Asset Forfeiture Expense-Restricted	\$ 91.62
	A3110-540335 Asset Forfeiture Expense	\$ 799.84

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 178-24 *APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Resolution No. 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Tioga County has received \$1200.00 from a drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Tioga County District Attorney's Office (15%)	\$180.00
Owego Police Department (5%)	\$ 60.00
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$384.00
Owego Police Department (75%)	\$432.00
Tioga County District Attorney's Office (25%)	<u>\$144.00</u>
	\$1200.00

And

WHEREAS: Appropriation of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250 Forfeiture of Crime Proceeds	\$ 960.00
	A1165-426260 Forfeiture of Crime Proceeds Restricted	\$ 240.00
TO:	A1165-540335 Asset Forfeiture Expense	\$ 960.00
	A1165-540336 Asset Forfeiture Expense-Restricted	\$ 240.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 179-24 *AUTHORIZE SALARY REALLOCATION WITHIN
CSEA SALARY SCHEDULE AND
ABOLISH DENTAL COORDINATOR
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for a title's salary reallocation and abolishment of a position; and

WHEREAS: The Public Health Director has continuously worked with the Personnel Officer regarding the job specifications and placement of the dental program titles within the CSEA Salary Schedule in conjunction with a desk audit submitted by Kimberly Thomas, Dental Hygienist; and

WHEREAS: The Public Health Director has determined, to better utilize the titles within the department, that the Dental Health Coordinator (CSEA SG X) title be abolished; and

WHEREAS: The Personnel Officer has made a determination that due to the specific college degree and licensing requirements of the minimum qualifications there is justification to request a salary reallocation of the Dental Hygienist title within the CSEA Salary Schedule; therefore be it

RESOLVED: That the title of Dental Hygienist shall be reallocated from CSEA Salary Grade IX to CSEA Salary Grade X (\$46,940-\$47,940) effective May 20, 2024; and be it further

RESOLVED: That the 2024 annual salary of Ms. Thomas increase by \$2,033 to \$47,470 effective May 20, 2024; and be it further

RESOLVED: That the Dental Health Coordinator (CSEA SG X) position be abolished effective May 20, 2024.

Legislator Standinger spoke. "Public Health has been examining their positions and how best to compensate the employees in those positions. This resolution is a result of that effort. It makes the position a better fit for the duties."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 180-24 *AMEND RESOLUTION NO.187-19;
INCREASE HOURS AND RATE OF PAY FOR
3RD ASSISTANT COUNTY ATTORNEY
(LAW DEPARTMENT)*

WHEREAS: Tioga County has an interest in providing sufficient County Attorney staff to cover all necessary court appearances; and

WHEREAS: Resolution No. 187-19 created the part-time position of 3rd Assistant County Attorney to which the County Attorney was authorized to hire Thomas Coulson at an hourly rate of pay up to an annual maximum of \$5,000; and

WHEREAS: Due to the announced retirement of the current 1st Assistant County Attorney as of April 30, 2024, the County Attorney has a need to increase the

coextensively on the same terms as Legislative Clerk, County Attorney, and Public Defender; and be it further

RESOLVED: That based on the number of years of relevant experience, including his current position as part-time Budget Officer, and in accordance with County policy, Jackson D. Bailey, II is entitled to 15 days of vacation upon hire; and be it further

RESOLVED: That the position of part-time Budget Officer will be unfunded effective July 1, 2024.

Chair Sauerbrey spoke. "I want to thank the Committee made up of Legislators and Department Heads who participated in this process for hiring a County Administrator. We worked with a consultant who helped us reach out across the State and outside of New York State. We had some viable, excellent candidates and in the end, we believe we chose the right person for this position. His name is Jackson D. Bailey, II. I believe he will serve this County well."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 182-24 APPOINT 1ST ASSISTANT COUNTY ATTORNEY
LAW DEPARTMENT

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Due to the announced retirement of the current 1st Assistant County Attorney as of April 30, 2024, the County Attorney has implemented a succession plan; and

WHEREAS: The County Attorney has determined Mari Townsend to be a qualified candidate; therefore be it

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Townsend shall serve a probationary period of twelve to twenty-six weeks; and be it further

RESOLVED: That the County Attorney is hereby authorized to appoint Mari Townsend to the title of 1st Assistant County Attorney effective May 20, 2024, at an annual Management/Confidential salary of \$100,000.00.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standing, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 183-24 *APPOINT DIRECTOR OF ENVIRONMENTAL HEALTH
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: Resolution No. 140-24 authorized the “create and fill” of the Director of Environmental Health; and

WHEREAS: The Public Health Director has identified an individual who is qualified and willing to accept the appointment for said title; and

WHEREAS: Daniel Scherrer has over ten years' experience in Environmental Health with Tioga County Public Health, in addition to previous experience. Mr. Scherrer has demonstrated admirable leadership over the rabies and water programs, and has successfully performed throughout his role; therefore be it

RESOLVED: That Daniel Scherrer be provisionally appointed to the title of Director of Environmental Health, pending successful completion of civil service examination requirements, at an annual Management/Confidential salary of

\$65,258, effective May 20, 2024; and that if unable to be permanently appointed shall return to the position of Public Health Sanitarian.

Legislator Standinger spoke. "This is the result of the reconfiguring of the Public Health Department, and I think it is a good move."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 184-24 *AUTHORIZE APPOINTMENT OF
DEPUTY COMMISSIONER OF PUBLIC WORKS
(PUBLIC WORKS)*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Deputy Commissioner of Public Works position became vacant as of March 13, 2024; and

WHEREAS: The Commissioner of Public Works, who intends to fill this vacancy, has identified a well-qualified candidate who has passed the Fundamentals of Engineering Exam; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to appoint Justin Ruggiero to the title of Deputy Commissioner of Public Works effective May 20, 2024, at an annual Management/Confidential salary of \$60,979; and be it further

RESOLVED: That Mr. Ruggiero shall be eligible for any Management/Confidential salary increase that may occur January 1, 2025; and be it further

RESOLVED: Upon a successful completion of the 52-week probationary period, Mr. Ruggiero's annual Management/Confidential salary shall increase to \$65,979; and be it further

RESOLVED: That this resolution will be null and void if Mr. Ruggiero fails to pass the County mandated criminal background check.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 185-24 *AUTHORIZE APPOINTMENT OF
CIVIL SERVICE TECHNICIAN
(PERSONNEL DEPARTMENT)*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: Karen Weston was appointed to the Civil Service Technician Trainee position on May 8, 2023; and

WHEREAS: Karen Weston has successfully completed the training period and upon promotion, the Civil Service Technician Trainee (M/C) position will be reclassified to Civil Service Technician (M/C); therefore be it

RESOLVED: That the Personnel Officer is authorized to promote Karen Weston to the title of Civil Service Technician, at an annual, Management/Confidential salary of \$42,622, effective May 20, 2024.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 187-24 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Days/Month (based on Record of Activities)	Pay Frequency	Not Submitted
Appointed Officials						
County Clerk	Andrea Klett	7	1/1/2024-12/31/2027	22.03	Biweekly	

I, Cathy Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 14th day of May 2024 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 14th day of May 2024.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on May 14, 2024 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.gov
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at 56 Main Street, Owego, NY 13827

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth two late-file resolutions for Legislature consideration, seconded by Legislator Roberts. Motion carried.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE, LEGAL COMMITTEE

RESOLUTION NO. 188-24 AWARD DESIGN SERVICES TO
C&S ENGINEERS FOR ROOF REPLACEMENTS &
CUPOLA REHABILITATION

WHEREAS: Tioga County has budgeted for roof replacements and cupola rehabilitation at the Court Annex; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for these projects from C&S Engineers, Syracuse, NY; and

WHEREAS: The proposal for these projects came in at \$28,426; therefore be it

RESOLVED: That the Tioga County Legislature approve C&S Engineers proposal for these projects not to exceed \$28,426 to be paid out of

H1620.520927	Court Annex	\$28,426
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ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 189-24 *AMEND 2024 CAPITAL BUDGET AND
TRANSFER FUNDS FOR LOADER FORKS
AND SKIDSTEER BROOM ATTACHMENTS
PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has identified a need for Loader Forks and Skidsteer Broom Attachments; and

WHEREAS: The Commissioner of Public Works has received a quote for Loader Forks and Skidsteer Broom Attachments that can be purchased under NYSOGS Contract #PC69406; and

WHEREAS: Cost savings was achieved in another 2024 Capital Budget line and Legislative approval is needed to authorize all Capital expenses; and

WHEREAS: Legislative approval is needed to amend 2024 Capital Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the 2024 Capital Budget:

From: H5130.521906	One Ton Flatbed/Rollback Truck	\$23,086.00
To: H5130.520920	Loader	\$13,500.00
H5130.521903	Skidsteer	\$ 9,586.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:41 p.m.

Sixth Regular Meeting
June 11, 2024

The Sixth Regular Meeting of 2024 was held on June 11, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Roberts, Sauerbrey, and Standinger were present with Legislator Mullen being absent.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for this time that we are able to come together and discuss the business of our County. We pray that you would give us all wisdom as we make decisions regarding the things that need to be done for our citizenship. Lord, we pray that you would just bless this meeting now and keep us all under your care."

Legislator Monell led all Legislators and those in attendance in the Pledge of Allegiance.

There were 10 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Legislator Standinger spoke. "Before I start, I just want to say that I have known Pete for a number of years. He was a true gentleman and an honorable man, which are good things in my opinion."

Legislator Standinger read and presented the following resolution to Gloria Ward and daughter, Christine VanOstrand, recognizing former District #7 Legislator, Peter L. Ward posthumously.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 190-24 *RECOGNITION RESOLUTION RECOGNIZING
PETER L. WARD POSTHUMOUSLY*

WHEREAS: Peter L. Ward passed away on May 8, 2024; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Peter L. Ward for his years of dedicated service as a Tioga County Legislator; and

WHEREAS: Peter L. Ward was elected to the position of Tioga County Legislator District #7 on January 1, 1996 and was successfully re-elected up until he left office on December 31, 2004; and

WHEREAS: During his tenure as a Tioga County Legislator, Peter served as the Chair of the Legislature from January 1, 2000 – December 31, 2002 and as Deputy Chair of the Legislature from January 1, 2003 – December 31, 2004; and

WHEREAS: Peter was recognized by his fellow Legislators at the December 14, 2004 Twelfth Regular Legislature Meeting by way of Resolution No. 316-04 for his nine years of dedicated service and leadership as a Tioga County Legislator; and

WHEREAS: Over the course of his Legislative career, Peter served with fourteen different Legislators and was Chair of the of the Mental Hygiene, Community Health, Health & Human Services, Personnel, Public Safety & Probation, and Economic Development & Planning, and served on the Legislative Standing Committees of Social Services, Public Works, Agriculture, and County Clerk; and

WHEREAS: Peter served on the Board of Health from January 1, 1998 – January 9, 2000, Community Services Board from January 1, 1999 - March 31, 2007, Tioga County Soil & Water Conservation District from January 2, 2002 – December 31, 2004, Tioga County Industrial Development Agency from April 13, 2004 – January 11, 2005, and the Tioga County Local Development Corporation from April 13, 2004 – October 31, 2009; and

WHEREAS: Peter L. Ward was extremely dedicated and loyal in the performance of his duties and responsibilities as a Tioga County Legislator; and

WHEREAS: In addition to his time served as a Tioga County Legislator, Peter served as the Candor Town Supervisor from 1987-1993 and was a founding member of the Candor Chamber of Commerce with his wife, Gloria; and

WHEREAS: Peter also worked as Tioga County's Director of Weights & Measures from January 3, 2005 through December 31, 2011 and returning on a temporary basis from January 11, 2012 – April 11, 2012 until a new director was appointed; and

WHEREAS: Peter L. Ward is survived by his wife of 73 years, Gloria Roberts Ward, their four children/spouses: Bradley and June Ward, Bryan and Nancy Ward, Christine and Jamie VanOstrand, Paula and Eric Coln, and 14 grandchildren and 21 great-grandchildren; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Peter L. Ward posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Peter L. Ward.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Sauerbrey, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislators Mullen and Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “Before I present the resolution, I just want to add that I did not know that Pete was an Army veteran, which we have in common and some other things. I appreciate his service and time.”

Christine VanOstrand spoke. “I know Dad would always say a word, so I am going to follow in his footsteps. I am Christine, Peter’s daughter, third in line. Mom and I are very grateful to be here today, and we are so thankful that you are honoring Dad.

“Dad loved God first, then of course his wife of 73 years, then our family, and then he loved his Country. He loved it so much and was so impressed with how our Country was founded. We were going through some old things about 20 years ago and saw his salutatorian address from high school. What did he talk about? The founding of our Country. That has been so engrained in his mind and the United States of America being so important based on being founded on God. So, when he had a chance after he retired from dairy farming, he decided to go into public service. First, as town supervisor and at the urging of his sister, Bayonne Gowan, who is very instrumental here in the County and the Republican Party, he decided to run for Legislator. Mom was behind him, and we were just talking on our way here today that in campaigning Dad would say that he is known in Candor, but not in the rest of District #7 in Newark Valley, Berkshire, and Richford. So, he and Mom went door-to-door in Newark Valley, Berkshire, and Richford, up into the hills and people would answer the door and say I have never had a politician come to my door. You've got my vote. They had coffee at a coffee house in Newark Valley and got to know people and that was the start of his service here at the Legislature.

“I was at their house a lot and he would come home and say different Boards that he was on and there was the prospect of hiring a County Manager to take over a lot of what the Chairman of the Legislature would do. When I asked him why he was pushing for that as it would make his job less, he replied that he

wanted what is best for the County. That is the way he was. He was very good at listening to opposing views and really considering them rather than being set in his ways and then he would make a decision.

“I just want to end with a blast from the past, if I may. In 2004, they had a banquet and three outgoing retiring Legislators; John King, Fran Leavenworth, and Peter Ward were retiring, so we commissioned Ann Weber to do a song. This was sung by Ann and my son, Issac Weber.

“I am going to read the lyrics to the song called ‘They are Going to Miss You Peter’. What will you be doing when a new day has begun? Will you build a house or two or more? Just when you decide to drive that gravel truck for fun, Gloria will find for you another chore. Now that you are retiring, we know that you will be happy every morning to be sure no more breakfast, lunch, and dinner meetings, if you please. Say so long Tioga County Legislature. They are going to miss you Peter when you are gone. Who is going to take your place? Who is going to keep the people calm? Who will solve all their problems with style and grace? You have been reliable and competent. You hardly ever missed a day. Do they know that you were heaven sent? You even taught them how to pray. They are going to miss you Peter you can bet. They may be in a stew. How can you leave with no regret with the rest of them wondering what to do? And, when you are going on your merry way to eat ice cream and apple pie there is just one last thing that you can say, it’s time to kiss that job good-bye.

“He loved the job here and he did not retire from the Legislature as it said, he became Director of Weights and Measures at the age of 75. He would have told you that many of his siblings died at 75, his dad died at the age 75, but he did not retire from this job until he was 82. So, you are continuing on. Keep on keeping on.

“I was touched when you started the meeting today with a prayer because Peter Ward began that, so thank you very much for having that tradition. We really appreciate it. So, on behalf of our family; my mom and I and my brothers and sister, thank you so much for honoring Dad today. Thank you.”

Chair Sauerbrey reported we have one Proclamation; **Elder Abuse Awareness Month** that will be noted in the minutes.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect or financial exploitation and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of June 2024 as:

Elder Abuse Awareness Month

in Tioga County and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

Legislator Standinger spoke. "Being of that group myself and looking across the room, I see other people in that group. Be nice to the old people."

Ken Mantei, Apalachin, NY had privilege of the floor. "I pray that the words I say today are perceived by ears, eyes, mind, and soul and everything like that by everyone sitting in this room. I appreciate the time and effort that everybody

puts in here. I am hard of hearing, so if I walk away from you, it's because I did not hear you. It's not because I am ignoring you.

"I have been asked by our president not to speak anything about the business of the cemetery nor reveal any of the names of the trustees or other things, so I just want to set the stage for that, and I need to respect that. So, I can only talk about my main agenda, which is awareness. Most of the public cemeteries that are in the State are in poor shape. I can speak to this in more depth if anyone wants to speak to me privately, please email me, message me, and I can provide that information. The awareness about the state of the cemeteries is that they are financially heading for trouble, and it is more about liabilities and same way with the town and everything. Peter, you could probably agree with me on that. Most people are concerned about the mowing of the lawns and the physical eye appearance, but we need to objectively look at things. The litigation could be enormous as precedent has been set in a lot of law cases. I was informed by the NYS Board of Cemeteries today that as a volunteer you are an employee whether you get paid or not and you have to have a contract with the cemetery on when you are going to work, how you are going to work, and you just cannot walk in and do those things that we always traditionally did. More importantly, I work in the cemetery probably 80 hours a week and its volunteer. I am not here for my own recognition at all, but the idea is that we do not have any employees. However, if you go to Endicott, NY and just compare some of the notes that they have, they have several employees and they can afford to do it. But their services are much more expensive, and they get monies out of 30-40 different things we haven't even thought about. We need to change our ways somewhat but be informed more importantly about the area of communication and open up volunteers. We have zero volunteers right now. We have three or four board members that I know who they are, but I am not supposed to give that information out or the communications with them. My thing is just to become aware and know that our hands are tied with a lot of things. More importantly, before you come to someone like me or anyone on the Board, do a little research and do not just talk from your stomach or your gut. Be informed and research if you can. As our age increases, we become less communicative and most of our Board members only have a landline so you cannot even get information to them. Some are living with relatives. Every one of our Board members is over the age of 60 and some over the age of 70. Our communication skills have decreased over the years and getting the word out, I feel I am responsible for that. I was on the Board, and I am resigning as Vice-President, and I just cannot take the liabilities. I will still volunteer, but I would hate to have a contract with the town and that is the way it is. The flow of responsibility is going to go to towns after we go out of business and then it is going to the County. I know the County is aware of it. I worked with Abbey Ortu before she left, and the new person has to take over and he has not even looked at the files yet.

As a volunteer, good luck. Just become involved. Thank you very much. I appreciate it.

Legislator Monell made a motion to approve the minutes of May 14, 2024, seconded by Legislator Brown and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE
RESOLUTION NO. 191-24 SET PUBLIC HEARING FOR NYS CDBG
PUBLIC FACILITIES GRANT APPLICATION

WHEREAS: Tioga County Economic Development & Planning intends to apply for a NYS CDBG Public Facilities Program Grant to support the purchase and use of a mobile food truck for grant subrecipient Catholic Charities Tompkins/Tioga to establish life skills café, community kitchen, and food rescue programs; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing allowing for citizen feedback on the community and economic development needs of Tioga County and the proposed program; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input regarding the current Community Development Block Grant project in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, June 20, 2024, at 10:00 A.M. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 192-24 APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: The Town of Berkshire position on the Tioga County Planning Board has been vacant for a few years; and

WHEREAS: The Berkshire Town Board has found Sam Davison willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Sam Davison to the Tioga County Planning Board representing the Town of Berkshire for a term of 6/12/24 – 12/31/26.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 193-24 APPOINT MEMBER TO THE TIOGA COUNTY
AGRICULTURAL AND FARMLAND
PROTECTION BOARD

WHEREAS: The Cooperative Extension Agent position on the Agricultural & Farmland Protection Board has been vacant since T Hanson left CCE Tioga employment; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and Dr. Kristi Snyder, CCE Tioga's new Executive Director, is willing and able to serve in this capacity; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Dr. Kristi Snyder to the Agricultural and Farmland Protection Board in the Cooperative Extension Agent position, for the term of 6/12/24 – 12/31/27.

Legislator Roberts made a motion to amend the RESOLVED statement to accurately reflect the term of office, seconded by Legislator Flesher to read as follows:

RESOLVED: That the Tioga County Legislature hereby appoints Dr. Kristi Snyder to the Agricultural and Farmland Protection Board in the Cooperative Extension Agent position, for her term of office as CCE Tioga Executive Director.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

AMENDMENT ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED AS AMENDED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 194-24 *APPOINT MEMBER TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: Patrick Ayres resigned from the Tioga County Property Development Corporation (TCPDC) as of April 1, 2023; and

WHEREAS: The TCPDC Board is looking to fill this vacant position that expired December 31, 2023; and

WHEREAS: Joan Case is willing and able to serve in this position on the TCPDC Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Joan Case to the Tioga County Property Development Corporation Board to fill the vacant position for the term of 6/12/24 – 12/31/25.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 195-24 *RESOLUTION CALLING ON MEMBERS OF THE
NEW YORK STATE SENATE AND ASSEMBLY TO
REFORM THE STATE'S COMPETENCY RESTORATION
PROCESS AND SUPPORT THE PASSAGE OF S.1874
(BROUK)/A.5063 (GUNTHER) IN THE 2024
LEGISLATIVE SESSION*

WHEREAS: Section §730 of the Criminal Procedure Law (CPL) provides that defendants charged with felonies who are mentally ill and/or developmentally disabled and who are determined by a court to be unable to understand the charges against them or participate in their own defense (often called "730's") are sent to New York State-operated forensic hospitals solely for the purpose of trying to restore them to competency so they can stand trial; and

WHEREAS: The origin of CPL §730 dates back over five decades to the laws of 1970, and parts of it have been declared to be unconstitutional; and

WHEREAS: Competency restoration provides necessary medications but primarily provides services such as courtroom training to familiarize the defendant with courtroom procedures so they can participate in their trial; and

WHEREAS: Many judges incorrectly believe that by ordering a 730 commitment, they are helping the mentally ill or developmentally disabled person to get treatment; and

WHEREAS: In the cases for which restoration is appropriate, most defendants can generally be restored within 90-150 days; and

WHEREAS: Unfortunately, there are numerous situations where defendants have been kept in restoration for periods of three, six, or even 10 years; and

WHEREAS: These lengthy confinements have been declared to be unconstitutional by the U.S. Supreme Court as shown in the case of Jackson v. Indiana (1972), which provides that states may not indefinitely confine criminal defendants solely on the basis of incompetence to stand trial; and

WHEREAS: The Office of Mental Health (OMH) has diverged from agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; and

WHEREAS: The SFY 2020-2021 budget required counties to pay 100 percent of the OMH State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers; and

WHEREAS: As the full payors of these services, the commissioners must have timely access to any pertinent client information as deemed necessary to effectively manage their responsibilities under the Mental Hygiene Law; and

WHEREAS: The county cost of these services is over \$1,300 per day and current statute does not require a timeline be established for when a defendant is unable to be restored; and

WHEREAS: The county cost of restoration for one defendant can be upwards of \$400,000 per year; and

WHEREAS: In New York State, counties, through the county tax levy, already bear an overwhelming portion of the financial burden for supporting individuals suffering from serious mental illness, and the requirement to assume 100% of 730.20 competency restoration costs has taken away millions of dollars from critical behavioral health programming in the community; and

WHEREAS: Given the advances in the behavioral health and the modernization of the criminal justice system, it is time for the State to reform the statutory authority governing competency restoration to ensure that only individuals who are

appropriate subjects of the 730 court orders are sent for restoration in accordance with the current state of these two systems; and

WHEREAS: The NYS Legislature has introduced S.1874 (Brouk)/A.5063 (Gunther), which seeks to address the reforms necessary to update the archaic requirements of current statute, many which have been deemed unconstitutional and includes a critical requirement to reinvest any savings derived by the counties back into the local mental hygiene systems of care; therefore be it

RESOLVED: That CPL §730.10 shall be modified to make clear that restoration is not mental health treatment, so the judiciary is better informed that a 730 order does not treat underlying mental health conditions; and be it further

RESOLVED: That CPL §730.20 shall be reformed to establish specific criteria for 730 examiners, streamlining the process to establish equity across the system, and that the psychiatrist or psychologist conducting the psychiatric exam tell the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment; and be it further

RESOLVED: That OMH will consistently follow their agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; and be it further

RESOLVED: That CPL §730.20 shall adjust the fee for reimbursing psychiatric examiners; and be it further

RESOLVED: That CPL §730.50 shall limit the time defendants are ordered for restoration services; and be it further

RESOLVED: That MHL §9.33 shall allow individuals to be transferred to Article 9 facilities if it is determined that a defendant is unable to be restored; and be it further

RESOLVED: That MHL §43.03 shall require Local Government Units (counties) to reinvest savings from these reforms into community mental health services; and be it further

RESOLVED: That the Tioga County Legislature calls on the State to support all provisions outlined in S.1874 (Brouk)/A.5063 (Gunther); and be it further

RESOLVED: That the Clerk of the Legislature shall forward certified copies of this resolution to Governor Kathy Hochul, Senator Thomas F. O'Mara, Assemblyman Christopher S. Friend, Senator Samara Brouk, Chair of Committee on Mental Health, Assemblywoman Aileen M. Gunther, New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

Legislator Standinger spoke. "This is an unfunded mandate that we really have no control over except we have to pay it. I think we have to send a message because these facilities are operated by the State, and they have incentive to keep the individuals as patients in order to pay their staff and they are passing that cost on to us without our say so. I think it is about time that we let them know that we are not really liking what they are doing, and we figured out what they are doing, so I am in favor of that."

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 196-24 *ADVOCATING AGAINST OSHA REFORMS IN
NEW YORK STATE FOR FIREFIGHTERS*

WHEREAS: Tioga County, nestled in the heart of the Southern Tier of New York State, is a rural county with a population of 47,772 individuals spread across 523 square miles, relying heavily on the essential services provided by its fifteen (15) volunteer fire departments; and

WHEREAS: These fifteen (15) fire departments, comprised of entirely volunteer organizations, serve as the lifeblood of our community, dutifully responding to hundreds of emergency calls each year, embodying the spirit of selflessness and dedication that defines Tioga County; and

WHEREAS: The personnel of these departments, comprised of all volunteers, form the backbone of our emergency response apparatus, tirelessly working to ensure the safety, security, and well-being of our residents, often at great personal sacrifice; and

WHEREAS: Tioga County acknowledges, with gratitude, the commendable efforts of the Occupational Safety and Health Administration (OSHA) in initiating

measures aimed at enhancing the safety and welfare of our invaluable emergency responders; and

WHEREAS: Notwithstanding the strides made in bolstering emergency responder safety, Tioga County harbors legitimate concerns regarding the future accessibility, affordability, and efficacy of emergency services within our jurisdiction; therefore be it

RESOLVED: That the Tioga County Legislature, mindful of its responsibility to safeguard the interests and welfare of its constituents, hereby expresses its reservations and respectfully requests that OSHA, in conjunction with our esteemed state and national officials, give due consideration to the following points of contention and areas of improvement pertaining to the current proposed OSHA 1910.156 document:

1. Extending the public comment period beyond the prescribed deadline of June 21, 2024 by a minimum of 45 days, thereby affording our officials adequate time to meticulously review the voluminous 608-page document and formulate comprehensive, fact-based comments reflective of our community's unique needs and circumstances.
2. Facilitating the organization and conduct of in-person public comment sessions to provide a platform for stakeholders to voice their concerns, insights, and recommendations in a transparent and inclusive manner.
3. Ensuring equitable and substantive representation of volunteer firefighters in the proposal process, proportionate to their significant contribution to emergency services nationwide, thereby fostering a balanced and representative discourse that accounts for the diverse perspectives and interests at play.
4. Simplifying and expediting the incorporation of referenced standards (22 in total) into the proposed standard to enhance clarity, accessibility, and comprehension, thereby facilitating widespread dissemination and implementation across our diverse emergency response landscape.
5. Re-evaluating the intended audience and scope of the standard to accommodate the varying regulatory frameworks and classifications of volunteer firefighters across different states, ensuring equitable treatment and compliance with applicable laws and regulations.
6. Transforming the proposed standard into a dynamic, adaptive "living document" capable of evolving in tandem with emerging national needs, technological advancements, and best practices, thereby obviating the need for periodic overhauls and updates to address obsolescence and inefficiency.
7. Identifying and prioritizing additional safety measures and protocols that can be expeditiously implemented with minimal resource expenditure and

manpower requirements, thereby augmenting the resilience and effectiveness of our emergency response infrastructure.

8. Collaborating closely with stakeholders to develop a standardized framework that strikes a judicious balance between economic feasibility and technical efficacy, thereby ensuring the sustainability and viability of our emergency response initiatives in the long run.
9. Instituting a formal, structured negotiation process characterized by transparency, accountability, and active engagement, thereby fostering a culture of collaboration, consensus-building, and mutual respect among all parties involved.
10. Embracing these recommendations and initiatives in a concerted effort to uphold the safety, well-being, and resilience of our dedicated emergency responders, while concurrently safeguarding the interests and resources of our taxpaying constituents.

And be it further

RESOLVED: That in adopting this resolution, the Tioga County Legislature reaffirms its unwavering commitment to the principles of safety, equity, and inclusivity, and pledges to work collaboratively with all relevant stakeholders to address the pressing concerns and challenges confronting our emergency response infrastructure in the pursuit of a safer, more resilient, and prosperous future for all; and be it further

RESOLVED: That a copy of this resolution shall be transmitted to OSHA, the Governor of New York State, the New York State Legislature, the National Advisory Committee on Occupational Safety and Health, and other relevant stakeholders to express the opposition of the Tioga County Legislature to any OSHA reforms that do not adequately consider the concerns outlined herein.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 197-24 ERRONEOUS ASSESSMENT
TOWN OF TIOGA

WHEREAS: An application for Corrected Tax Roll for the tax years 2023 and 2024 indicates that parcel #128.00-2-21 acct#2018 in the Town of Tioga assessed to Ronald and Rhonda Pasto on the 2023 and 2024 tax rolls of the Town of Tioga is erroneous in the fact that the owner's purchased the property in August of 2021 and they each applied and were both found qualified for Veteran's exemptions to be applied to the 2022 and 2023 assessment, however, the 2023 and 2024 tax bills did not include the Veteran's exemptions; and

WHEREAS: An Application for Refund or Credit of Real Property Taxes for the years 2023 and 2024 were filed requesting a refund of property taxes levied by Tioga County and Town of Tioga for the tax years 2023 and 2024; and

WHEREAS: The 2023 and 2024 tax bills were paid to the Tioga Tax Collector in the Town of Tioga on 01/13/2023 and 01/10/2024; therefore be it

RESOLVED: That a refund be issued to Ronald and Rhonda Pasto by the Town of Tioga in the amount of \$489.55 and the bills be corrected as follows:

128.00-2-21 (2023)	Original Bill #	Corrected Bill #
County	\$1,809.13	\$1,626.70
Town Wide	\$687.37	\$618.05
Fire	\$235.99	\$235.99
Total	\$2,732.49	\$2,480.74
Refund		\$251.75

128.00-2-21 (2024)	Original Bill #	Corrected Bill #
County	\$1,889.00	\$1,715.84
Town Wide	\$705.13	\$640.49
Fire	\$238.09	\$238.09
Total	\$2,832.22	\$2,594.42
Refund		\$237.80
Total to be Refunded:		\$489.55

And be it further

RESOLVED: That the erroneous tax of \$489.55 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 198-24 *A RESOLUTION OF THE
TIOGA COUNTY LEGISLATURE ADOPTING THE
TIOGA COUNTY MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN UPDATE 2024*

WHEREAS: The Tioga County Legislature recognizes the threat that natural hazards pose to people and property within the Tioga County community; and

WHEREAS: Tioga County has prepared a multi-hazard mitigation plan, hereby known as the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS: The Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Tioga County from the impacts of future hazards and disasters; and

WHEREAS: Adoption by the Tioga County Legislature demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024; therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts the Tioga County Multi-Jurisdictional Hazard Mitigation Plan Update 2024. This plan, approved by the community, may be edited or amended after submission for review, but will

not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 199-24 *AMEND RESOLUTION NO. 291-19;
AUTHORIZE AMENDED AGREEMENT WITH
MOTOROLA SOLUTIONS CHANGE ORDER # 5
EMERGENCY MANAGEMENT*

WHEREAS: Resolution No. 291-19 authorized the Director of Emergency Services to enter into an agreement with Motorola Solutions for a P25 Phase 1 Digital Simulcast Trunked Radio System at an amount not to exceed \$9,620,000; and

WHEREAS: Change Order #1 separated the Computer Aided Dispatch (CAD) from the Radio Tower Project at no cost to the County; and

WHEREAS: By Resolution No. 23-22, the Legislature authorized Change Order #2 for additional tower sites, equipment and conversion to a P25 Phase 2 Digital Simulcast Trunked Radio System for a cost not to exceed \$3,100,000; and

WHEREAS: By Resolution No. 152-22, the Legislature authorized Change Order # 3 to include adding Owego Police to the Computer Aided Dispatch (CAD); adding Digital Evidence Module for Owego; adding Pictometry for Mapping; adding Rapid Notification Module; and Data Transfer Costs for a cost not to exceed \$133,020.84; and

WHEREAS: By Resolution No. 20-23 and Resolution No. 123-24, the Legislature authorized the County to enter into a lease with Motorola Solutions at an amount not to exceed \$4,044,973.15; and

WHEREAS: By Resolution No. 444-23, the Legislature authorized Change Order #4 to include the additional cost of building 4 new tower sites, refurbishing one county owned site, adding our equipment to PA State Police site and additional enhancements to radio and telephone equipment that has changed since the original contract of 2019 for an additional cost not to exceed \$5,650,000; and

WHEREAS: With the progression of the radio project, it was discovered that the Ballou Road tower site was in need of a shelter and generator and Motorola Solutions has prepared Change Order #5 at a cost not to exceed \$619,642.08; and

WHEREAS: There are sufficient funds in account H3021.521230.M7674 to cover said expenses for Change Order #5; therefore be it

RESOLVED: That the County Legislature hereby authorizes an amended agreement by way of Change Order #5 with Motorola Solutions, 500 West Monroe Street, 44th Floor, Chicago, IL 60661 for a shelter and generator for the Ballou Road tower site at a cost not to exceed \$619,642.08; and be it further

RESOLVED: That the Chair of the Legislature be authorized to execute Motorola's Change Order #5, after review and approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 200-24 *AMEND RESOLUTION NO. 83-24;
AWARD DESIGN SERVICES TO DELTA ENGINEERS
FOR HVAC CONTROLS AT ANNEX BUILDING
DEPARTMENT OF PUBLIC WORKS*

WHEREAS: Resolution No. 83-24 awarded design services to Delta Engineers for HVAC Controls at the Court Annex Building; and

WHEREAS: An amount of \$469 for direct expenses was not included; therefore be it

RESOLVED: That Resolution No. 83-24 be amended to include \$469 for direct expenses bringing the total not to be exceeded to \$26,902 to be paid out of the following account:

H1620.520927 Court Annex

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 201-24 *AMEND RESOLUTION NO. 158-24;
AUTHORIZATION TO RENEW CONTRACT WITH
THOMSON REUTERS (WESTLAW) FOR A ONE YEAR
SUBSCRIPTION TO WEST PROFLEX*

WHEREAS: The County Attorney was authorized by way of Resolution No. 158-24 to execute a renewal contract with Thomson Reuters for a one-year subscription to WEST PROFLEX legal research services for the period of July 1, 2024 through June 2025; and

WHEREAS: The County has the option to enter into a three-year contract with Thomson Reuters for significant savings; and

WHEREAS: The services provided through this subscription will be utilized by personnel in the County Attorney's office, Public Defender's office, District Attorney's office, and Department of Social Services; therefore be it

RESOLVED: Resolution No. 158-24 is hereby amended to a three-year contract with Thomson Reuters for WEST PROFLEX legal research services for the period of July 1, 2024 through June 2027 at a total cost of \$38,851.80.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 202-24 *AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES OF TOMPKINS/TIOGA COUNTIES SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Catholic Charities of Tompkins/Tioga Counties to coordinate a project within the Spencer and Newark Valley school districts that addresses specific cultural and behavioral issues among middle and high school aged children, particularly those who are considered to be "at risk"; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$115,884; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Catholic Charities of Tompkins/Tioga Counties for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$115,884 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 203-24 *AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES
OF TOMPKINS/TIOGA COUNTIES
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Catholic Charities of Tompkins/Tioga Counties to provide emergency and diversion services to needy families of Tioga County at its Tioga Outreach Center; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$92,469; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Catholic Charities of Tompkins/Tioga Counties for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$92,469 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 204-24 *AUTHORIZE CONTRACT WITH
TIOGA OPPORTUNITIES, INC.
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Tioga Opportunities, Inc. for the provision of Intensive Case Management Services for the Disabled Population on Public Assistance; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$45,547; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Tioga Opportunities, Inc. for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$45,547 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 205-24 *AUTHORIZE CONTRACT WITH BERKSHIRE FARMS
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Berkshire Farms to provide alternatives to foster care and early intervention to serve parents and children of Tioga County; and

WHEREAS: The Department of Social Services wishes to renew the contract for July 1, 2024 through June 30, 2025 in an amount not to exceed \$123,447; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Berkshire Farms for the period July 1, 2024 through June 30, 2025; and be it further

RESOLVED: That available funds on 12/31/24 of the original \$123,447 be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PUBLIC WORKS COMMITTEE
RESOLUTION NO. 206-24 *AWARD 56 MAIN STREET SOUTH WING
HVAC CONSTRUCTION CONTRACT
PUBLIC WORKS*

WHEREAS: Tioga County has budgeted for the 56 Main Street South Wing HVAC project; and

WHEREAS: The Commissioner of Public Works received sealed bids on June 3, 2024 and the bid results were as follows:

Postler & Jaeckle Corporation, Endicott NY	\$449,850.00
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And

WHEREAS: Tioga County DPW has completed the review of the bids and finds the low bidder Postler & Jaeckle Corporation, Endicott, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Postler & Jaeckle Corporation, Endicott, NY not to exceed \$449,850.00 to be paid out of the following account:

H1620.520911 – Renovations 56 Main St

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 207-24	<i>AWARD PROBATION WING COURT ANNEX CONTROLS CONSTRUCTION CONTRACT PUBLIC WORKS</i>
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WHEREAS: Tioga County has budgeted for the Probation Wing Court Annex Controls project; and

WHEREAS: The Commissioner of Public Works received sealed bids on June 3, 2024 and the bid results were as follows:

Postler & Jaeckle Corporation, Endicott NY	\$113,300.00
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And

WHEREAS: Tioga County DPW has completed the review of the bids and finds the low bidder Postler & Jaeckle Corporation, Endicott, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Postler & Jaeckle Corporation, Endicott, NY not to exceed \$113,300.00 to be paid out of the following account:

H1620.520927 – Court Annex

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 208-24 *AWARD CONSTRUCTION SUPPORT SERVICES TO
DELTA ENGINEERS - 56 MAIN STREET
SOUTH WING HVAC*

WHEREAS: Tioga County has budgeted for the 56 Main Street South Wing HVAC project; and

WHEREAS: The Commissioner of Public Works has received a proposal for construction support services from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this project came in at \$23,789.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for 56 Main Street South Wing HVAC not to exceed \$23,789.00 to be paid out of H1620.520911 - Renovations 56 Main St.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 209-24 *AWARD CONSTRUCTION SUPPORT SERVICES TO
DELTA ENGINEERS – COURT ANNEX
PROBATION WING CONTROLS*

WHEREAS: Tioga County has budgeted for the Court Annex Probation Wing Controls project; and

WHEREAS: The Commissioner of Public Works has received a proposal for construction support services from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this project came in at \$19,212.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for Court Annex Probation Wing Controls not to exceed \$19,212.00 to be paid out of H1620.520927 – Court Annex.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 210-24 *AUTHORIZE THE SUBMISSION OF
FY2023 DOMESTIC TERRORISM
PREVENTION GRANT PROGRAM
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Division of Homeland Security and Emergency Services (DHSES) has issued the FY2023 Domestic Terrorism Prevention Grant Program in the amount of \$172,413 to be utilized to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans; and

WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the FY2023 Domestic Terrorism Prevention Grant application and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 211-24 *AUTHORIZE THE SUBMISSION OF
EMPG24 GRANT APPLICATION
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Department of Homeland Security/Federal Emergency Management Agency has issued an Emergency Management Performance Grant (EMPG24) in the amount of \$22,058 with a 50% local share; and
WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted; and

WHEREAS: Said grant will be used towards reimbursement of Emergency Services salaries; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the 2024 EMPG Grant application and authorizes the Chair of the Legislature to sign such application; and be it further

RESOLVED: That authorization be given to utilize funds in account A3640.510010 Full Time Salary to offset the 50% local share of \$22,058.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 212-24 *AUTHORIZE GRANT RENEWAL
APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
MENTAL HYGIENE*

WHEREAS: The Office of National Drug Control Policy (ONDCP) and the Centers for Disease Control and Prevention (CDC) have partnered in an effort to reduce substance abuse among youth; and

WHEREAS: Tioga County Mental Hygiene needs authorization to receive Federal Funding for the Comprehensive Addiction and Recovery Act (CARA) Grant in

partnership with Tioga County Public Health, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition; and

WHEREAS: Tioga County Mental Hygiene was awarded said grant in 2021 and are awarded annually from 07/01/2021 through 06/30/2026; and

WHEREAS: The said funds need to be appropriated annually; and

WHEREAS: The Department deems it to be in the best interest of the community and youth of Tioga County to renew this grant funding; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4213.444863 CARA Federal Aid CARA Grant \$ 50,000

To: A4213.540590 CARA Services Rendered CARA Grant \$ 50,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$50,000 will be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 213-24 APPROVE TECHNICAL ASSISTANCE
PROVIDED BY ED&P STAFF

WHEREAS: A resolution is required by County policy to disclose matching cash and or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Economic Development and Planning staff provided technical assistance for the following:

<u>Organization</u>	<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Village of Newark Valley	ESD-Restore NY Round VIII	\$732,420	Rehabilitation of 10 & 14-16 Whig St
Town of Nichols	NY Dept. of State	TBD	Town Comprehensive Plan development

And

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided as noted above.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 214-24 *APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Resolution No. 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Tioga County has received \$111,480.81 from a drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Tioga County District Attorney's Office (15%)	\$16,722.12
Tioga County Sheriff's Department (5%)	\$ 5,574.04
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$35,673.86
Tioga County Sheriff's Department (75%)	\$40,133.09
Tioga County District Attorney's Office (25%)	<u>\$13,377.70</u>
	\$111,480.81

And

WHEREAS: Appropriation of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250 Forfeiture of Crime Proceeds	\$ 49,051.56
	A1165-426260 Forfeiture of Crime Proceeds Restricted	\$ 16,722.12
	A3110-426260 Forfeiture of Crime Proceeds Restricted	\$ 5,574.04
	A3110-426250 Forfeiture of Crime Proceeds	\$ 40,133.09
TO:	A1165-540335 Asset Forfeiture Expense	\$ 49,051.56
	A1165-540336 Asset Forfeiture Expense-Restricted	\$ 16,722.12
	A3110-540336 Asset Forfeiture Expense-Restricted	\$ 5,574.04
	A3110-540335 Asset Forfeiture Expense	\$ 40,133.09

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 215-24

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Bridge Replacement, BIN 2218720 Harnick Road over Apalachin Creek, PIN 9754.90 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering / Design and Right-of-Way Incidentals and Right of Way Acquisition work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering / Design and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$18,730 is hereby appropriated from account H5110.540004.H2102 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and it is further

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the

County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 216-24 *APPROPRIATIONS OF FUNDS 2024
YOUTH BUREAU*

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Bureau's 2024 program funding was approved by Resolution No. 98-24; and

WHEREAS: The plan submitted for expenditure of these funds has been approved by New York State Office of Children and Family Services; and

WHEREAS: Appropriation of these funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A7310.438200 State Aid - Youth Programs	\$ 101,064.00
To: A7310.541540 Reimbursements	\$ 100,964.00
To: A7310.540180 Dues	\$ 100.00

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$101,064 be carried forward into the New Year 2025.

Legislator Standinger spoke. "Tioga County DSS appropriates these funds and they ensure that the work is done to help the youth of the County. I appreciate their efforts in that behalf."

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
	FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 217-24	<i>MODIFY 2024 BUDGET AND APPROPRIATION OF FUNDS OFFICE OF EMERGENCY SERVICES</i>
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WHEREAS: Legislative approval is needed to modify the 2024 budget and appropriation of funds; and

WHEREAS: The Office of Emergency Services has a need to transfer \$16,863 to fund the leasing of the Weitsman Building, on State Route 38, for storage of radio equipment through December 2024; therefore be it

RESOLVED: That the 2024 budget be modified and appropriation of funds be made as follows:

FROM: A3021.520130.E911 Equipment (Not Car)-E911	\$16,863
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TO: A3021.540320.E911 Leased/Service Equipment- E911 \$16,863

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 218-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has been notified of approval of funding for the second year of the Comprehensive Addictions and Recovery Act (CARA) portion of the County Advocacy, Support and Prevention (ASAP) Coalition; and

WHEREAS: TCPH will receive the funds specifically for coordinating the ASAP Coalition via pass-through from Tioga County Mental Hygiene; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053.422800 ASAP Public Health: Local Grants \$50,000

To: A4053.540487 ASAP Public Health: Program Expense \$50,000

And be it further

RESOLVED: That the balance of this funding on 12/31/2024 be carried forward into the 2025 budget in the same budget lines.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 219-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health received notice of their funding amount for the new period of the Creating Healthy Schools and Communities (CHSC) program; and

WHEREAS: Creating Healthy Schools and Communities is a partnership between Broome and Tioga Counties; and

WHEREAS: Healthy schools and communities are areas of focus for Public Health; and

WHEREAS: The funding will pass through Broome County to Tioga County Public Health; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053.422800 CHSC Grants – Non-State or Federal \$ 60,000

To: A4053.540640 CHSC Supplies (Not Office) \$ 60,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$60,000 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 220-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from New York State; and

WHEREAS: The award is designated for Community Cancer Prevention in Action, which is a partnership between Broome and Tioga Counties; and

WHEREAS: Cancer Prevention is an area of focus for Public Health; and

WHEREAS: The funding will pass through Broome County to Tioga County Public Health; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053 422800-CPIA	Grants – Non State or Federal	\$ 10,000
To: A4053 540640-CPIA	Supplies (Not Office)	\$ 10,000

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 221-24 *AMEND BUDGET AND APPROPRIATE FUNDS;
 PUBLIC HEALTH INFRASTRUCTURE GRANT
 PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) received five-year funding through 2027 specifically for strengthening our Public Health Infrastructure and Workforce; and

WHEREAS: The funding is intended to allow for the recruitment and retention of Public Health employees following the challenging impacts on Public Health workers during the Covid-19 pandemic; and

WHEREAS: The second year of the funding has been approved by the New York State Department of Health, and requires amending of budget and appropriation of funds; and

WHEREAS: Amending Budget and Appropriating Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4011 444010-SPHIW	Public Health: State Aid	\$	105,787
To: A4011 510050-SPHIW	Public Health: All Other – SPHIW	\$	81,860
A4011 583088-SPHIW	Public Health: Social Security Fringe	\$	6,262
A4011 520130-SPHIW	Public Health: Equipment (Not Car)	\$	2,000
A4011 540487-SPHIW	Public Health: Program Expense-SPHIW	\$	15,665

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$105,787 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 222-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in June, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

June 10: "No One Left Behind" Onward Ops Information Session - \$500.00 (ETSSP Grant)

June 27: PTS Awareness Day Information Fair & Picnic - \$3500.00 (ARPA Funds)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 223-24 *TRANSFER OF FUNDS*
2024 BUDGET MODIFICATION
VETERANS' SERVICE AGENCY

WHEREAS: The Tioga County Veteran Services' Agency (TCVSA) is in need of updating technology equipment; specifically, upgrading from desktop computers to laptop computers to better enable us to meet the ever-increasing demand for working in the field, particular at homes, hospitals, nursing homes and outreach activities; we will be purchasing three (3) laptop computers and three (3) docking ports; and

WHEREAS: The TCVSA shall be utilizing funds as allowed by ARPA Program guidelines to pay for aforementioned equipment; and

WHEREAS: The TCVSA consulted with Chief Information Officer regarding this need, and he agreed this would be the best solution for our office and provided information regarding the products and costs, and the ARPA Computer Equipment line recently received a refund amount for return of a defective printer in the amount of \$549.99; and

WHEREAS: Amending of Budget and Transfer of Funds requires Legislative approval; therefore be it

Reference

National Institute of Standards and Technology (NIST) Special Publications (SP): NIST SP 800-53a – Awareness and Training (AT), NIST SP 800-12, NIST SP 800-16, NIST SP 800-50, NIST SP 800-100; Electronic Code of Federal Regulations (CFR): 5 CFR 930.301

Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets.

1. Security Awareness Training

The ITCS Department shall:

- a. Schedule security awareness training as part of initial training for new users.
- b. Schedule security awareness training when required by information system changes and then annually thereafter.
- c. The Chief Information Officer (CIO) shall determine the appropriate content of security awareness training and security awareness techniques based on the specific organizational requirements and the information systems to which personnel have authorized access. The content shall:
 - i. Include a basic understanding of the need for information security and user actions to maintain security and to respond to suspected security incidents.
 - ii. Address awareness of the need for operations security. Security awareness techniques can include, for example, displaying posters, offering supplies inscribed with security reminders, generating email advisories/notices from senior organizational officials, displaying logon screen messages, and conducting information security awareness events.

2. Role-based Security Training

The ITCS Department shall:

- a. Provide role-based security training to personnel with assigned security roles and responsibilities:
 - i. Before authorizing access to the information system or performing assigned duties.
 - ii. When required by information system changes and annually thereafter.
3. Security Training Records

The ITCS Department shall:

- a. Designate personnel to document and monitor individual information system security training activities including basic security awareness training and specific information system security training.
- b. Retain individual training records for two years.

Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to ITCS resources, and other actions as well as both civil and criminal penalties.

Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The requests should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken by the ITCS Department, initiatives, actions, and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

And be it further

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 226-24 *AUTHORIZE WAGE REALLOCATIONS
WITHIN CSEA SALARY SCHEDULE
PUBLIC WORKS*

WHEREAS: Legislative approval is required for a title's wage reallocation; and

WHEREAS: It is very difficult to procure skilled labor in the current job market. In addition, the Tioga County Department of Public Works has lost several employees to other employers in the area; and

WHEREAS: The Tioga County Department of Public Works wishes to retain the skill level of its current employees; therefore be it

RESOLVED: That effective June 17, 2024, the following titles shall be reallocated as indicated below:

Title	Current Wage:	New Wage:
Heavy Mechanic Working Supervisor Highway Working Supervisor	\$27.47/hr.	\$29.00/hr.
Mechanic Working Supervisor Working Supervisor Heavy Equipment Operator Site Leader	\$25.35	\$27.50
Heavy Equipment Operator III Lead Maintenance Mechanic Technical Facility Supervisor	\$23.12	\$25.00

Automotive Stock Clerk Master Craftsman Heavy Equipment Operator II	\$22.31	\$24.00
Heavy Equipment Operator I Maintenance Mechanic III Sign Maintenance Worker Heavy Equipment Mechanic I	\$20.90	\$23.00
Motor Equipment Operator III Automotive Mechanic II Maintenance Mechanic II Cleaning Supervisor	\$20.12	\$22.00
Motor Equipment Operator II Automotive Mechanic I Maintenance Mechanic I	\$19.31	\$21.00
Motor Equipment Operator I Cleaner I	\$16.92	\$19.00

And be it further

RESOLVED: That the employees holding the above listed titles shall receive corresponding increases to their 2024 wages effective June 17, 2024.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 227-24 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Days/Month (based on Record of Activities)	Pay Frequency	Not Submitted
Appointed Officials						
Coroner	Ryan Kline	6	1/1/2024-12/31/2027		Biweekly	X

I, Cathy Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 11th day of June, 2024 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 11th day of June 2024.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on June 11, 2024 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.gov
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at 56 Main Street, Owego, NY 13827

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Brown, Ciotoli, and Flesher.

No – None.

Absent – Legislators Mullen.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:34 p.m.

Public Hearing
NYS CDBG Public Facilities Grant Application
June 20, 2024

The Public Hearing on New York State Community Development Block Grant (CDBG) Public Facilities Grant Application was called to order by the Chair at 10:05 A.M. Five Legislative members were present with Legislators Flesher, Monell, and Standinger being absent.

There were six people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Brittany Woodburn, Director of Economic Development & Planning Department spoke. "Tioga County Economic Development & Planning is assisting Catholic Charities of Tompkins/Tioga with a Community Development Block Grant (CDBG) through their Public Facilities Program. The only eligible applicants for the program are counties, towns, villages, and cities, so if we are awarded the grant, we are allowed to sub-grant the funds to another organization like Catholic Charities. This is similar to what we are doing with the Neighborhood Depot here in Owego, NY. The intent of the program is to have Catholic Charities purchase a mobile food truck so they can continue to provide their meals and food preparation services to low/moderate income individuals within Tioga County. The food truck itself is going to sit at their new location on West River Road, Nichols, NY, but with the mobility of the truck it is going to allow them to outreach and serve more areas in the County. Nichols, NY is considered a food desert, as the only place to get groceries currently is the Dollar General otherwise people have to travel to Owego, NY or Waverly, NY and if you do not have transportation, it is difficult.

"The program will provide free meals and food rescue services through partnerships such as Grand Union and Tioga Downs to recover food and use the ingredients to prepare and package meals to send home to individuals and families. They serve a lot of people and not just in Nichols, NY as they have a huge client base. Without them being able to purchase this mobile food truck, they would not be able to continue that programming. Their new space does not have a certified commercial kitchen they can do this in, and it is not possible for them to build that out in their new space. They have one quote right now for just under \$250,000 and there is no match requirement from the County, as it would be fully grant funded through the CDBG program. However, the County would receive a 5% administration fee based on the total project costs."

Director of Public Health Vroman spoke. "Since this is a mobile food truck, it will need to be permitted. If you haven't already had a conversation with our Environmental Health Director, I would encourage that. Some of the things you spoke about such as the preparation of meals and giving it to individuals, I would encourage you to have that conversation, so you do not hit any roadblocks. We would love to support the effort."

There being no further comments, the hearing was adjourned at 10:11 A.M.

Seventh Regular Meeting
July 9, 2024

The Seventh Regular Meeting of 2024 was held on July 9, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Lord, we ask that you be with us today as we do the County's business. We ask that you keep us safe as we represent the people that we work for well. I would ask to keep Dale Weston's family and friends, which include many of us here, in your care and compassion. He is truly missed, and I would ask that we all take a breath and remember that we are all God's children."

Legislator Mullen led all Legislators and those in attendance in the Pledge of Allegiance.

There were 25 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 228-24 *RESOLUTION RECOGNIZING
JESSICA WILLIAMS' 27 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Jessica Williams was appointed as a Part-Time Corrections Officer on 6/21/97; appointed to a Full-Time Corrections Officer on 4/6/99; and then appointed to Corrections Sergeant on 2/18/06; and

WHEREAS: Jessica Willilams has been dedicated and loyal in the performance of her duties and responsibilities during her 27 years of service to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Jessica Williams will retire from the Tioga County Sheriff's Office on July 22, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jessica Williams for her

27 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Jessica Williams.

ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Roberts, Sauerbrey, Standing, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Sheriff Howard spoke. “Jessica is the third female appointed Sergeant that has retired from our Sheriff’s Office. She comes from a background of law enforcement in her family. Her mother and father worked for the Owego Police Department, her brother works for the Sheriff’s Office, and I am sure her seniority over her brother doesn’t come up in any family events.

“Jessica has worked for the Sheriff’s Office for 27 years. She runs our Intake Office where all the inmates come in. It is a busy office and there is a lot of paperwork. She also handles our CAP Court scheduling of all the judges, making sure inmates are taken care of, 140 hearings with discipline for inmates, etc. so her plate is always full.

“When we did interviews last week seeking her replacement, all three said they hope they can make it as well as Jessica Williams did on the job. They all said they go to her when they have questions.

“She is one of the greatest employees of the Sheriff’s Office. I watched her once chew down a Corrections Officer for not doing their job. I had to leave because I was afraid. If anyone has been in the military and had a Sergeant that could dress you down, this is Sergeant Williams. Everything is fine until you do it wrong and she will let you know in no uncertain terms. She wants things to run the way she wants it run. So, we all abide by that.

“She has had several awards. She was Employee of the Quarter, she has lifesaving awards from working in Corrections, so I cannot say enough what a valued employee she has been for the County and for the Sheriff’s Office. I, myself, will miss

you as well as the people from the Sheriff's Office. Congratulations, Jessica and thank you."

There was no privilege of the floor.

Legislator Brown made a motion to approve the minutes of June 11 and 20, 2024, seconded by Legislator Mullen and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 229-24 ERRONEOUS ASSESSMENT
TOWN OF BARTON

WHEREAS: An Application for Refund or Credit of Real Property Taxes for the year 2024 indicates that parcel #166.11-1-81 acct #1215 in the Town of Barton assessed to Jeffrey Terwilliger on the 2024 tax roll of the Town of Barton is erroneous in the fact the property owner submitted a renewal application for the Senior Citizen exemption. The amount of the exemption was contingent upon the owner's income. There was a clerical error in the calculation of the income used. The income used for his exemption was \$16,104.00 and it should have been \$10,092.00; therefore be it

RESOLVED: That a refund check for the overpayment of the 2024 tax in the amount of \$103.67 be issued to Jeffrey Terwilliger by the Tioga County Treasurer's Office as follows:

166.11-1-81	Original Bill #1368	Corrected Bill #1368
County	345.05	287.54
Townwide	118.69	72.53
Barton Fire	51.34	51.34
Total	515.08	411.41

And be it further

RESOLVED: That the erroneous County tax \$103.67 be charged back to the proper accounts of the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 230-24 *EXECUTE LEASE EXTENSION WITH
MCP ENTERPRISES, INC. FOR
CHILD ADVOCACY CENTER*

WHEREAS: The Department of Social Services has a lease with MCP Enterprises, Inc. for office space at 6 McMaster St. Owego for the Child Advocacy Center in Tioga County; and

WHEREAS: MPC Enterprises, Inc. has offered a six-month extension of this lease at the current monthly rate of \$900; therefore be it

RESOLVED: That the Chair of the Legislature is authorized and directed to sign said lease extension with MCP Enterprises, Inc. for space at 6 McMaster St., Suite #3, Owego, NY for a six-month lease term commencing on August 1, 2024 at the monthly rate of \$900.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 231-24 *AUTHORIZE ACCEPTANCE OF YEAR SEVEN FUNDING FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES AND ACCEPT YEAR SEVEN FUNDING FOR HURRELL-HARRING GRANT AND AMEND 2024 BUDGET*

WHEREAS: By Resolution No. 432-23 adopted on November 14, 2023, Tioga County entered into a three-year agreement with the New York State Office of Indigent Legal Services for distribution of funds to provide representation to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The allocated amount to Tioga County from NYS Office of Indigent Legal Services for the fiscal year April 2024 – March 2025 is \$771,014.42; and

WHEREAS: It is necessary for Tioga County to adopt the seventh-year funding budget for said distribution in said amount of \$771,014.42; and

WHEREAS: Said funding in the amount of \$771,014.42 needs to be appropriated and the 2024 budget be amended; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the seventh-year budget of said distribution in the amount of \$771,014.42; and be it further

RESOLVED: That upon execution of the seventh-year contract amendment, the ILS HH Grant of \$771,014.42 subtracting out the \$30,000.00 of Investigation expenses that Tioga County has already appropriated to the 2024 Budget be amended as follows:

Revenue Account: A1174 430260 State Aid Indigent	\$ 771,014.42
Expense Account: A 1174 510010 Full Time Salary	\$ 165,830.00
A 1174 510020 Part Time Salary	\$ 214,970.90
A 1174 520200 Office Equipment	\$ 2,750.00
A 1174 520250 Remodeling	\$ 46,100.00
A 1174 520210 Other Furniture	\$ 3,250.00
A 1174 540030 Assigned Counsel	\$ 10,000.00
A 1174 540040 Books	\$ 3,500.00

A 1174 540140 Contracted Services	\$	46,000.00
A 1174 540180 Dues	\$	1,500.00
A 1174 540280 Investigations	\$	45,529.42
A 1174 540320 Leased Services	\$	2,000.00
A 1174 540390 Mileage	\$	5,000.00
A 1174 540420 Supplies	\$	1,500.00
A 1174 540550 Rent	\$	18,000.00
A 1174 540620 Software Expenses	\$	9,500.00
A 1174 540640 Other Supplies not office	\$	250.00
A 1174 540733 Training/CLE	\$	4,500.00
A 1174 581088 Retirement	\$	29,281.91
A 1174 583088 Social Security	\$	26,830.58
A 1174 585588 Disability	\$	179.35
A 1174 584088 Workers Comp	\$	10,515.65
A 1174 586088 Health Ins/HRA	\$	93,887.04
A 1174 588988 EAP	\$	139.57

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 232-24 *AUTHORIZE ACCEPTANCE OF A GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, ESTABLISH NEW BUDGET LINE AND AMEND 2024 BUDGET*

WHEREAS: Tioga County has been notified by NYS Division of Criminal Justice Services of a grant award notice for \$63,049.00 for Aid to Defense for Discovery Reform for the time period of April 1, 2023 – March 31, 2025; and

WHEREAS: It is necessary for Tioga County to accept the grant funding for the distribution in said amount of \$63,049.00; and

WHEREAS: Said funding in the amount of \$63,049.00 needs to be appropriated and the 2024 budget be amended; and

WHEREAS: Acceptance of grant funding and appropriation of funds require Legislature approval; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts the NYS Division of Criminal Justice Services Grant of said distribution in the amount of \$63,049.00; and be it further

RESOLVED: That the following budget lines be established with project codes: Legal Fees (A1172.540330.DOCJS) and Contracted Services (A1170.540140.DOCJS) in the 2024 Budget; and be it further

RESOLVED: That upon receipt of the funds through the Division of Criminal Justice Services Grant of \$63,049.00, the 2024 Budget be amended as follows:

Revenue Accounts: A1170.430250 – State Aid DOCJS	\$ 31,524.50
A1172.430250 - State Aid DOCJS	\$ 31,524.50
Expense Accounts: A1172.540330.DOCJS – Legal Fees	\$ 31,524.50
A1170.540140.DOCJS – Contracted Services	\$ 31,524.50

And be it further

RESOLVED: That available funds on 12/31/24 of the original grant award of \$63,049.00 allocated in each of these budget lines be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 233-24 AUTHORIZE ACCEPTANCE OF A GRANT
FROM THE NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE SERVICES, ESTABLISH NEW BUDGET LINE AND
AMEND 2024 BUDGET

WHEREAS: Tioga County has been notified by NYS Division of Criminal Justice Services of a grant award notice for \$63,049.00 for Aid to Defense for Supplemental Reform for the time period of April 1, 2023 – March 31, 2025; and

WHEREAS: It is necessary for Tioga County to accept the grant funding for the distribution in said amount of \$63,049.00; and

WHEREAS: Said funding in the amount of \$63,049.00 needs to be appropriated and the 2024 budget be amended; and

WHEREAS: Acceptance of grant funding and appropriation of funds require Legislature approval; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts the NYS Division of Criminal Justice Services Grant of said distribution in the amount of \$63,049.00; and be it further

RESOLVED: That the following budget lines be established with project codes: Investigations (A1170.540280.DOCJS) and Office Equipment (A1170.520200.DOCJS) in the 2024 Budget; and be it further

RESOLVED: That upon receipt of the funds through the Division of Criminal Justice Services Grant of \$63,049.00, the 2024 Budget be amended as follows:

Revenue Accounts: A1170.430250.DOCJS – State Aid DOCJS	\$	31,524.50
A1172.430250.DOCJS – State Aid DOCJS	\$	31,524.50
Expense Accounts: A1172.540330.DOCJS – Legal Fees	\$	31,524.50
A1170.540280.DOCJS – Investigations	\$	25,024.50
A1170.520200.DOCJS – Office Equipment	\$	6,500.00

And be it further

RESOLVED: That available funds on 12/31/24 of the original grant award of \$63,049.00 allocated in each of these budget lines be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 234-24 *AUTHORIZE COMMITMENT OF CASH MATCH FOR BROOME-TIOGA SUSQUEHANNA HERITAGE AREA MANAGEMENT PLAN AMENDMENT ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Tioga County has been part of the Susquehanna Heritage Area along with Broome County since the Susquehanna Heritage Area Management Plan Amendment of 2009 expanded the area to the two designated counties; and

WHEREAS: The 2009 Susquehanna Heritage Area Management Plan is out of date and in need of modernizing to current day circumstances; and

WHEREAS: Broome County Department of Planning and Economic Development is writing and submitting a grant application to NYS Empire State Development's (ESD) Strategic Planning and Feasibility Studies program to update the 2009 Plan to an Arts and Cultural Master Plan for Broome and Tioga Counties; and

WHEREAS: The Arts and Cultural Master Plan will provide Broome and Tioga counties with an understanding of how they can improve and promote historic, cultural, and creative assets and identify opportunities to further increase tourism and economic activity; and

WHEREAS: There is a 50% cash match requirement for this ESD grant program and Broome County has requested that Tioga County partner to provide the cash match; and

WHEREAS: In 2025, Economic Development and Planning anticipates having \$5,000 total available between the two budget line items of A8020.540590 Services

Rendered (\$2,500) and A6422.540590 Services Rendered (\$2,500) to commit as Tioga County's cash match to said grant application; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes earmarking a total cash match commitment of \$5,000 from the 2024 Economic Development and Planning budgets as specified; and be it further

RESOLVED: That if Broome County Department of Planning and Economic Development is awarded the grant request from NYS Empire State Development in late fall of 2024 these funds be carried forward to the specified accounts in 2025.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 235-24 *AUTHORIZE ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT APPLICATION FOR NYS CDBG-PUBLIC FACILITIES PROGRAM AND AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON GRANT RELATED DOCUMENTS*

WHEREAS: Catholic Charities Tompkins/Tioga has a Tioga Outreach Center that offers food rescue and life skills training, as well as offering hot and nutritious meals for Tioga County children and adults; and

WHEREAS: Catholic Charities Tompkins/Tioga has relocated to an office space that does not have the necessary certified kitchen and has found the purchase of a mobile food truck would provide better mobility and therefore offer greater accessibility for Tioga County residents; and

WHEREAS: The proposed purchase of a mobile food truck at the estimated cost not to exceed \$400,000 will be funded through Community Development Block Grant (CDBG) Public Facilities Program; and

WHEREAS: This grant source, administered by the NYS Office of Community Renewal, requires no local match and allows a maximum request of \$1 million in funding per application; and

WHEREAS: Per Resolution No. 191-24, a Public Hearing was held June 20, 2024 and no comments were received; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to New York State Office of Community Renewal in the amount not to exceed \$400,000; and be it further

RESOLVED: That upon award, authorizes the Chair of the Legislature to sign any and all grant-related contract and other paperwork, contingent upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 236-24 *AUTHORIZE GRANT APPLICATION TO NY SWIMS LIFEGUARD PROGRAM IN PARTNERSHIP WITH THE VILLAGE OF OWEGO*

WHEREAS: NYS DOS Division of Local Government Services is offering grant funds to cities and counties in partnership with municipalities to increase safe swimming opportunities and Tioga County is eligible for up to \$25,000; and

WHEREAS: The Village of Owego has approached Tioga County Department of Economic Development & Planning to partner on said grant application to fund increased lifeguard coverage at their Marvin Park Pool and said grant deadline is July 26, 2024; and

WHEREAS: The Village of Owego has provided a workplan for increased lifeguard coverage at Marvin Park pool in an amount not to exceed \$25,000; and

WHEREAS: The Village of Owego Board of Trustees has committed to up front the total project cost of up to \$25,000 as the grant operates on a reimbursement only basis; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes Tioga County Department of Economic Development & Planning to apply to the NYS SWIMS Lifeguard grant in partnership with the Village of Owego in an amount not to exceed \$25,000; and be it further

RESOLVED: That upon award, authorizes the Chair of the Legislature to sign any and all grant-related contract and other paperwork, contingent upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 237-24 AWARD BID FOR WILSON CREEK ROAD
PAVEMENT OVERLAY

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: On June 28, 2024 the Department of Public Works received sealed bids from the following contractors:

Suit-Kote Corporation, Cortland NY	\$ 910,030.00
Broome Bituminous Products, Vestal NY	\$1,099,720.00
Dalrymple Gravel & Contracting, Pine City, NY	\$1,150,525.00

Lancaster Development, Richmondville NY	\$1,296,489.56
Barrett Paving Materials, Liverpool, NY	\$1,318,418.00
Elmira Road Materials, LLC, Binghamton, NY	\$1,397,120.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Suit-Kote Corporation, Cortland NY not to exceed \$910,030.00 to be paid out of the Paving Projects Account H5110.540001.H2301.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:	PUBLIC WORKS COMMITTEE
RESOLUTION NO. 238-24	<i>AWARD 20 COURT STREET CARRIER RTU CONSTRUCTION PROPOSAL PUBLIC WORKS</i>

WHEREAS: Tioga County has been working with Postler & Jaeckle Corporation on Probation's AC unit; and

WHEREAS: The rooftop unit is nearing the end of its service life; and

WHEREAS: The Commissioner of Public Works received a proposal from Postler & Jaeckle Corporation for \$62,900.00, purchased under Broome Contract Reference #CA 11-1973-1; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the proposal to Postler & Jaeckle Corporation, Endicott, NY not to exceed \$62,900.00 to be paid out of the following account:

H1620.520927 – Court Annex

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 239-24 *AMEND RESOLUTION NO. 82-24;
AWARD DESIGN SERVICES TO DELTA ENGINEERS
FOR COUNTY OFFICE BUILDING SOUTH WING HVAC
DEPARTMENT OF PUBLIC WORKS*

WHEREAS: Resolution No. 82-24 awarded design services to Delta Engineers for County Office Building South Wing HVAC; and

WHEREAS: An amount of \$469 for direct expenses was not included; therefore be it

RESOLVED: That Resolution No. 82-24 be amended to include \$469 for direct expenses bringing the total not to be exceeded to \$30,088 to be paid out of the following account:

H1620.520911 Renovations 56 Main St

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 240-24 APPROVE CONTRACT, APPROPRIATION OF FUNDS
AND AMEND 2024 BUDGET
SOCIAL SERVICES

WHEREAS: Funding for Summer Youth Employment Programs was awarded (24-LCM-06) to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance (OTDA); and

WHEREAS: The Office of Temporary and Disability Assistance has approved a plan for Broome-Tioga BOCES to administer the Summer Youth Employment Program; therefore be it

RESOLVED: That the Department of Social Services be authorized to contract with Broome-Tioga BOCES in an amount not to exceed \$127,738 for the period of July 9, 2024 to September 30, 2024; and be it further

RESOLVED: That upon approval of said contract funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$ 137,738
To: A6010.540140 Contracting Services	\$ 127,738
To: A6010.540487 Program Expense	\$ 10,000

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 241-24 *AMEND BUDGET AND TRANSFER FUNDS
PUBLIC WORKS*

WHEREAS: Tioga County has budgeted for 56 Main Street South Wing HVAC; and

WHEREAS: The Commissioner of Public Works has received bids for the new HVAC system and there are insufficient funds for this project in the current budget; and

WHEREAS: Funds are available in another capital line item; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: H1620.520927	Court Annex	\$200,000
To: H1620.520911	Renovations 56 Main Street	\$200,000

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 242-24 *AMEND BUDGET & APPROPRIATE FUNDS
MENTAL HYGIENE*

WHEREAS: Medicaid Administrative Claiming Funds have been granted to Tioga County Mental Hygiene and must be allocated by the end of 2025; and

WHEREAS: The Director of Community Services has recognized a need for additional services for the treatment of Eating Disorder for youth in Tioga County; and

WHEREAS: The Healing and Health Retreat, LLC (Hea Hea) organization has agreed to prioritize treatment to youth that reside in Tioga County, providing services to those who are struggling with an eating disorder; and

WHEREAS: The one-time funding allocated would assist Hea Hea in opening the Partial Hospitalization Program; and

WHEREAS: Regulations allow Medicaid Administrative Claiming funds to be used towards community-based services; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That Medicaid Administrative Claiming funds in the 2024 Budget be appropriated as follows:

FROM: A4309 444900 Federal Aid – Medicaid Admin	\$100,000
TO: A4320 540590 Services Rendered	\$100,000

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 243-24 TRANSFER OF FUNDS
2024 BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene has received funding from The Southern Tier Rural Integrated Performing Provider Systems, Inc. d/b/a Care Compass Network; and

WHEREAS: Tioga County Mental Hygiene would like to spend funding on IT Infrastructure; and

WHEREAS: This requires an appropriate budget line and transfer of funding into this budget line; and

WHEREAS: Budget Line creation and transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Mental Hygiene 2024 budget be modified, and funds be transferred as follows:

From: A4312 540590 WAIVR Services Rendered	\$ 5,126.08
To: A4312 520090 WAIVR Computer	\$ 5,126.08

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 244-24 *MODIFY 2024 BUDGET AND TRANSFER FUNDS
DMV*

WHEREAS: The DMV has a need for a new chair to replace a broken chair; and

WHEREAS: The chair selected costs \$217.79; and

WHEREAS: Chairs must be purchased using a Chair expense line 520070 and the 2024 DMV budget does not have any funds on this established line; and

WHEREAS: Legislative approval is required for budget amendments; therefore be it

RESOLVED: That the following funds be transferred for said purchase:

From:	A1411.540420	Office Supplies	\$ 217.79
To:	A1411.520070	Chairs	\$ 217.79

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:	FINANCE/LEGAL COMMITTEE
RESOLUTION NO. 245-24	<i>TRANSFER OF FUNDS</i>
	<i>2024 BUDGET MODIFICATION</i>
	<i>DISTRICT ATTORNEY</i>

WHEREAS: The District Attorney’s Office has a need for a ProBook 450 G9 Business Laptop, a portable computer, for Confidential Secretary to the District Attorney to work remotely; and

WHEREAS: Amending of Budget and Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That the District Attorney’s budget be modified and the following sums be transferred from within the District Attorney’s budget to cover the costs of said office furnishings.

From:	A1165.540480	Postage	\$800.00
To:	A1165.520090	Computer	\$800.00

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 246-24 *REQUEST AND TRANSFER OF
CONTINGENCY FUNDS & MODIFY 2024 BUDGET
ASSIGNED COUNSEL*

WHEREAS: The Assigned Counsel program has experienced a significant increase in the caseload of court matters including the High-Profile Criminal Cases in 2024 along with the effects of the NYS Assigned Counsel Rate Increase; and

WHEREAS: Contingency Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account, & Modify Assigned Counsel 2024 Budget to accommodate the increase in court caseload for 2024; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from the Contingency Account as follows:

From: A1990.540715	Contingency Transfer	\$ 150,000
To: A1172.540030	Assigned Counsel	\$ 150,000

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 247-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in August, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

August 7: Tioga County Fair Booth - \$350.00 (ARPA Funds)

August 14: "No One Left Behind" Onward Ops Outreach - \$750.00 (ETSSP Grant)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 248-24 STAFF CHANGE 2024 BUDGET
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) requested staffing changes as part of the 2024 Budget Process; and

WHEREAS: Those changes were approved by the County Legislature and included in the Approved Budget; and

WHEREAS: The required resolution to capture the approved changes for Personnel Office records was not previously done; therefore be it

RESOLVED: That the following staffing change is effective retroactively to January 1, 2024:

<u>Name</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact</u>
VACANT	Public Health Technician (Grade 7)	Fund	\$40,212

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 249-24 APPOINT SECRETARY TO THE
1ST ASSISTANT COUNTY ATTORNEY
LAW DEPARTMENT

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Since May 16, 2024, the position of Secretary to the 1st Assistant County Attorney has been vacant; and

WHEREAS: The 1st Assistant County Attorney has recruited for a replacement and after interviewing a satisfactory candidate has been identified; therefore be it

RESOLVED: That the County Attorney is hereby authorized to provisionally appoint Sandra Short to the title of Secretary to the 1st Assistant County Attorney, with a start date of July 15, 2024, pending successful completion of the of civil service requirements at an annual Management/Confidential salary of \$41,528.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 250-24 ADJUST SALARY RANGE FOR
2ND ASSISTANT COUNTY ATTORNEY
LAW DEPARTMENT

WHEREAS: Legislative approval is required for any salary range adjustments for Management/Confidential positions; and

WHEREAS: Due to a retirement and promotion the position of the 2nd Assistant County Attorney has remained vacant since May 20, 2024; and

WHEREAS: The County Attorney has been unable to complete a successful search for a qualified candidate to fill the position; and

WHEREAS: The County Attorney, in consultation with the Personnel Officer, has identified a need to increase the salary range of this position; therefore be it

RESOLVED: That the salary range for the 2nd Assistant County Attorney position be increased from \$67,407-\$77,407 (2024 M/C) to \$77,518-\$87,518 (2024 M/C) effective July 9, 2024.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 251-24 APPOINTMENT OF ELECTION CLERK (PT)
BOARD OF ELECTIONS

WHEREAS: Legislative approval is required for any appointment to any position not covered by a collective bargaining agreement or part of the Management/Confidential listing; and

WHEREAS: The position of the Democratic Election Clerk (PT) has been vacant since June 14, 2024; and

WHEREAS: Authorization to backfill the vacancy was approved on June 11, 2024; and

WHEREAS: The Democratic Election Commissioner has selected a candidate to fill said vacancy; therefore be it

RESOLVED: That Julia Ferencik be appointed as Democratic Election Clerk (PT) effective July 17, 2024 at the 2024 rate of \$18.57/hr.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 252-24 *AUTHORIZE THREE (3) POSITION RECLASSIFICATIONS
SOCIAL SERVICES*

WHEREAS: Legislative approval is required for position reclassification; and

WHEREAS: On April 8, 2024, the Personnel Department received position description questionnaire for three Office Specialist I positions in the Department of Social Services (CSEA grade III); and

WHEREAS: This resulted in the review of work tasks performed by Kathleen Wage, Crystal Wagstaff and Sarah Dusinberre in comparison to the Office Specialist classification levels; and

WHEREAS: Due to the type of work assigned to and performed by Ms. Wage, Ms. Wagstaff and Ms. Dusinberre, the Personnel Officer has determined justification exists to reclassify them to Office Specialist II (CSEA grade IV); therefore be it

RESOLVED: That the Tioga County Legislature authorizes the reclassification of three Office Specialist I positions currently filled by Kathleen Wage, Crystal Wagstaff and Sarah Dusinberre to Office Specialist II, and they each shall receive an increase of \$1,728 to their current annual salary; and be it further

RESOLVED: That Kathleen Wage's new rate will be \$31,131 retroactive to April 8, 2024; and be it further

RESOLVED: That Crystal Wagstaff's new rate will be \$31,131 retroactive to April 8, 2024; and be it further

RESOLVED: That Sarah Dusingberre's new rate will be \$31,131 retroactive to April 8, 2024.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE
	PERSONNEL COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 253-24	<i>AUTHORIZE CREATION OF A FULL-TIME CERTIFIED PEER SPECIALIST POSITION MENTAL HYGIENE</i>
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WHEREAS: Legislative approval is required for the creation of positions within a County Department; and

WHEREAS: The Director of Community Services has a demonstrated need of creating a full-time Certified Peer Specialist position due to the state request to have a mobile crisis service; and

WHEREAS: A Certified Peer Specialist is required to receive the designation to operate a licensed Mobile Crisis Program; and

WHEREAS: Funding for this position is Office of Mental Health State Aid and future Fee-For-Service billable revenue; therefore be it

RESOLVED: That one Full-Time Certified Peer Specialist (CSEA SG VI \$35,451) position is created effective August 1, 2024 and may be filled effective August 12, 2024; and be it further

RESOLVED: That the Mental Hygiene Department's headcount shall increase from 42 to 43; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4310 434900	State Aid-Mental Health	\$35,430.13
To: A4310 510010	Full Time Salary	\$17,725.50
A4310 581088	State Retirement Fringe	\$ 2,472.47
A4310 583088	Social Security Fringe	\$ 1,180.85
A4310 584088	Workers Compensation Fringe	\$ 636.61
A4310 585588	Disability Insurance Fringe	\$ 33.93
A4310 586088	Health Insurance Fringe	\$13,372.84
A4310 588988	Eap Fringe	\$ 7.93

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 254-24 *AUTHORIZE CREATION OF A FULL-TIME SENIOR CLINICAL SOCIAL WORKER POSITION MENTAL HYGIENE*

WHEREAS: Legislative approval is required for the creation of positions within a County Department; and

WHEREAS: Due to OMH (Office of Mental Health) request to create a Mobile Crisis Program, the Director of Community Services has a demonstrated need of creating an additional full-time Senior Clinical Social Worker position; and

WHEREAS: A Licensed Clinical Social Worker is required to receive the designation to operate a Mobile Crisis Program; and

WHEREAS: Funding for this position is Office of Mental Health State Aid and future Fee-For-Service billable revenue; therefore be it

RESOLVED: That one full-time Senior Clinical Social Worker (CSEA SG XVII \$66,879) position is created effective August 1, 2024, and may be filled effective August 12, 2024; and be it further

RESOLVED: That the Mental Hygiene Department's headcount shall increase from 43 to 44.

RESOLVED: That funding be appropriated as follows:

From: A4310 434900	State Aid-Mental Health	\$53,018.24
To: A4310 510010	Full Time Salary	\$33,439.50
A4310 581088	State Retirement Fringe	\$ 3,054.65
A4310 583088	Social Security Fringe	\$ 2,472.78
A4310 584088	Workers Compensation Fringe	\$ 636.61
A4310 585588	Disability Insurance Fringe	\$ 33.93
A4310 586088	Health Insurance Fringe	\$13,372.84
A4310 588988	Eap Fringe	\$ 7.93

Legislator Standinger spoke. "The State has forwarded money for crisis intervention and the prior resolution, and this resolution are related to that and to deliver those services."

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 255-24 *CREATE ONE (1) FULL-TIME
BENEFIT ASSISTANT POSITION
(PERSONNEL DEPARTMENT)*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: Due to numerous changes within the department the Personnel Officer has reviewed work assignments, staffing structure, and future succession training needs within the department for the administration of Benefits; and

WHEREAS: In order to address said issues, the Personnel Officer has determined that creating a Benefit Assistant, will help in those efforts; and

WHEREAS: Funding for the position is available in our current budget, therefore, no increase to the budget; therefore be it

RESOLVED: That one (1) full-time Benefits Assistant position is created within the Management/Confidential annual salary range of \$44,000-\$54,000, effective July 15, 2024; and be it further

RESOLVED: That the Personnel Department's full-time headcount shall increase from 7 to 8.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 257-24 *AUTHORIZE SALARY ABOVE CSEA BASE FOR PROBATION OFFICER*

WHEREAS: Legislative approval is required to hire above the established CSEA salary base; and

WHEREAS: The Probation Director has identified a candidate to fill the Probation Officer 1 (CSEA SG XI, \$48,941 - \$49,941) with over four years of prior relevant work experience including current employment with the New York State Office of Children and Family Services as a Youth Support Specialist at the Finger Lake Residential Center. Certification in Crisis Prevention and Management including Dialectical Behavioral Therapy skills and more than three years of experience as a Correction Officer; therefore be it

RESOLVED: That Jeremiah Warnimont is hereby appointed to the title of Probation Officer 1 at \$49,941/year (increment stage 2 of CSEA SG XI) effective July 15, 2024.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 258-24 *APPROVE SALARY ABOVE HIRING BASE DEPUTY SHERIFF POSITION SHERIFF'S OFFICE*

WHEREAS: Resolution No. 211-99 requires Legislative approval for any appointments made above an established base salary amount; and

WHEREAS: There is one full-time Deputy Sheriff position vacant; and

WHEREAS: In order to maintain adequate staffing levels for the Road Patrol Division, the Sheriff has an immediate need to backfill said position; and

WHEREAS: The Sheriff has received approval from the Tioga County Law Enforcement Association to hire a new Deputy Sheriff, who has over four years of police experience, at an annual salary rate reflecting four years of experience per the current union contract, or \$74,501; and

WHEREAS: Morgan Smith, a transfer candidate with over 4 years of Police Officer experience, has applied and has been found both eligible and willing to accept a transfer from the Sidney Police Department to a Deputy Sheriff vacancy in Tioga County; therefore be it

RESOLVED: That the Sheriff is hereby authorized to backfill the vacant, full-time Deputy Sheriff position with Morgan Smith at an annual salary of \$74,501 effective July 13, 2024.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 259-24 *AUTHORIZE WAGE REALLOCATIONS
WITHIN CSEA SALARY SCHEDULE
PROBATION DEPARTMENT*

WHEREAS: Legislative approval is required for salary upgrades and wage reallocations; and

WHEREAS: The Probation Director has identified the following Probation titles be upgraded one salary grade level: Probation Assistant Grade 7 to Grade 8, Probation Officer 1 Grade 11 to Grade 12, Probation Officer 2 Grade 12 to Grade 13, and Probation Supervisor Grade 15 to Grade 16; and

WHEREAS: Discussion occurred in the Public Safety and Personnel Legislative Standing Committees; and

WHEREAS: The Probation Director presented justification to the Legislature for these position upgrades; and

WHEREAS: Funding for these position upgrades is currently within the Probation Department's 2024 budget; therefore be it

RESOLVED: That effective July 29, 2024, the above listed Probation titles shall be upgraded one salary grade and the employees holding said titles shall receive corresponding increases to their current 2024 wages.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Sauerbrey, Standinger, Brown, Ciotoli, Flesher, and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:18 p.m.

Eighth Regular Meeting
August 13, 2024

The Eighth Regular Meeting of 2024 was held on August 13, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "Our Heavenly Father, we ask that you bestow us with your blessings today. We pray for our nation and ask that you guide us in our decision-making."

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

There were 6 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolutions, seconded unanimously and carried.

The following recognition resolution for Katherine E. Garrison, Department of Social Services was noted. Ms. Garrison was not in attendance.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 260-24 *RECOGNIZE KATHERINE E. GARRISON
32 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Katherine began her career with the Tioga County Department of Social Services on October 5, 1992, as a Temporary HEAP Typist. In February 1993, Katherine was hired full-time as a Typist in the Income Maintenance Unit. In October 1995, Katherine was promoted to Social Welfare Examiner, and to Social Services Investigator in February 2002. Katherine was promoted to her current position as Principal Social Welfare Examiner in August 2004; and

WHEREAS: Katherine Garrison has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Katherine Garrison has shown the highest levels of reliability, trust, loyalty, and competence in the performance of her duties; and

WHEREAS: Katherine Garrison will retire on August 12, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Katherine Garrison for her thirty-two years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated, and outstanding employee, Katherine E. Garrison.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

The following recognition resolution for Karen L. Northup, Department of Social Services was noted. Ms. Northup was not in attendance.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 261-24 *RECOGNIZE KAREN L. NORTHUP
11 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Karen began her career with the Tioga County Department of Social Services on May 13, 2013 as a Social Welfare Examiner; and

WHEREAS: Karen Northup has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Karen Northup has shown the highest levels of reliability, trust, loyalty, and competence in the performance of her duties; and

WHEREAS: Karen Northup will retire on August 24, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Karen Northup for her eleven years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated, and outstanding employee, Karen L. Northup.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have two Proclamations; **National Recovery Month in Tioga County** and **National Suicide Prevention Awareness Month in Tioga County** that will be noted in the minutes.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 21.5 million adults have a co-occurring mental health and substance use disorder; and

WHEREAS: 48.7 million people aged 12 and older, or 17.3% of the population in the United States, have a substance use disorder; and

WHEREAS: 13.5% of young adults aged 18-25 had both substance use and mental health disorder in the past year; and

WHEREAS: Nearly 1 in 3 adults had either a substance use disorder or mental illness in the past year and 48.8% of young adults 18-25 had either a substance use disorder or mental illness.

WHEREAS: Substance use negatively affects children, families and loved ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Use and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 35th anniversary of National Alcohol and Drug Addiction Recovery Month now known as National Recovery Month; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2024 as:

NATIONAL RECOVERY MONTH IN TIOGA COUNTY

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County and are proud to support the observance of National Suicide Prevention Awareness Month; and

WHEREAS: Suicide is the second leading cause of death in New York State; and

WHEREAS: Suicide is the second leading cause of death for ages 10-14, third leading cause of death for ages 15-24, second leading cause of death for ages 25-34, fifth leading cause of death for ages 35-44, seventh leading cause of death for ages 44-54, ninth leading cause of death for ages 55-64, and eleventh leading cause of death for ages 65+; and

WHEREAS: Suicide claimed the lives of over 1,765 New Yorkers in 2023; and

WHEREAS: More than four times as many people died by suicide in 2021 than in alcohol related motor vehicle accidents; and

WHEREAS: Stigma works against Suicide Prevention by discouraging persons at risk from seeking lifesaving help; and

WHEREAS: Most suicides are preventable; and

WHEREAS: Tioga County Suicide Prevention Coalition's mission is to increase awareness, provide education, training, resources and coordinate community services to the public; and

WHEREAS: Tioga County is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, and parents, as partners in supporting our community in simply being available to one another; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2024 as:

NATIONAL SUICIDE PREVENTION AWARENESS MONTH IN TIOGA COUNTY

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of July 9, 2024, seconded by Legislator Monell and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Monell made a motion to have the resolution withdrawn, seconded by Legislator Mullen and carried.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -24 *RECOGNIZE TIOGA COUNTY CHAMBER OF
COMMERCE AS THE COUNTY'S OFFICIAL
CHAMBER OF COMMERCE*

WHEREAS: The Tioga County Chamber of Commerce, originally incorporated as the Owego Chamber of Commerce on June 4, 1919 has continuously strived to promote a healthy and robust business environment and advocate for its member businesses throughout the community; and

WHEREAS: The Tioga County Chamber of Commerce is the largest and oldest Chamber in the county, serving all sections of Tioga County as well as parts of Broome, Tompkins, and Bradford Counties; and

WHEREAS: The Chamber plays a vital role in promoting business and community involvement, fostering the growth of local businesses, and enhancing the quality of life for every business and individual in the region; and

WHEREAS: The Tioga County Chamber offers valuable services and new opportunities to its members, advancing the local community through outstanding promotion, support, and advocacy for economic development; and

WHEREAS: The Chamber's Junior Chamber program enriches the lives of high school students attending the Owego-Apalachin School District, and its administration of Leadership Tioga supports businesses and nonprofits throughout the Southern Tier; and

WHEREAS: The Tioga County Chamber of Commerce works closely with local and state agencies to provide essential information and support, creating a solid cornerstone for the community; and

WHEREAS: Over its distinguished 100-year history, the Tioga County Chamber of Commerce has demonstrated continuous service to the residents and communities it serves, encouraging and supporting new business opportunities, facilitating partnerships, and promoting the growth of existing businesses; and

WHEREAS: The success of the Tioga County Chamber of Commerce is directly correlated to the dedicated efforts of its Board of Directors, staff, and members, whose commitment, enthusiasm, and excellence have greatly benefited the organization and community it serves; and

WHEREAS: The Tioga County Chamber of Commerce will continue to be a leading resource for information about tourism, local events, and business education for many years to come; therefore be it

RESOLVED: That the Tioga County Legislature hereby recognizes the Tioga County Chamber of Commerce as the official Chamber of Tioga County, recognizing its invaluable contributions to the business community and its role in fostering economic growth and prosperity throughout the region.

Chair Sauerbrey spoke. "This resolution is being withdrawn, as the Board of Directors would like to approve on their level first and then this resolution will probably come back next month."

ROLL CALL VOTE TO WITHDRAW RESOLUTION

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION WITHDRAWN.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 262-24 AUTHORIZATION TO APPLY FOR GRANT
PUBLIC HEALTH

WHEREAS: The Floyd Hooker Foundation is a local foundation offering grant funds for Tioga County projects which serve the children of the county; and

WHEREAS: The application period for the Floyd Hooker Foundation mini-grants will be opening September 1, 2024; and

WHEREAS: Tioga County Public Health ensures the safety of Tioga County children through the prevention and remediation of lead paint hazards; and

WHEREAS: Tioga County Public Health has identified barriers to lead paint remediation for families with children diagnosed with lead poisoning due to financial constraints; and

WHEREAS: Tioga County Public Health wishes to submit an application to the Floyd Hooker Foundation for a project that will assist families in addressing lead paint hazards in their homes through education and the supplies needed to safely and effectively address lead hazards; and

WHEREAS: Tioga County Public Health will determine the grant request upon completion of the final grant proposal not to exceed the grant parameters of \$25,000; and

WHEREAS: If awarded the grant, Tioga County Public Health will submit a resolution to appropriate the funds at that time; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that require the signature of the Chief Elected Official; and

WHEREAS: The Tioga County Legislature supports Tioga County Public Health in pursuing funding to provide needed services to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to the Floyd Hooker Foundation not to exceed the grant parameters of \$25,000.

ROLL CALL VOTE

Yes – Legislators Roberts, Standing, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. 263-24 *AUTHORIZE THE SUBMISSION OF
REQUEST FOR PROPOSALS (RFP)
FOURTH FAMILY DEFENSE QUALITY IMPROVEMENT
AND CASELOAD REDUCTION GRANT*

WHEREAS: Legislative approval is required for submission of any grant application; and

WHEREAS: The Office of Indigent Legal Services will be issuing Request for Proposals (RFP) for a Fourth Family Defense Quality Improvement and Caseload Reduction Grant (4th Family Defense Grant) with awards up to \$250,000 per year for each of three years to approximately nineteen counties; and

WHEREAS: Tioga County Indigent Legal Services (ILS) would like to apply for this grant; therefore be it

RESOLVED: That Tioga County ILS be authorized to submit the Request for Proposals (RFP) for a Fourth Family Defense Quality Improvement and Caseload Reduction Grant.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 264-24 *AUTHORIZE GRANT RENEWAL
APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
MENTAL HYGIENE*

WHEREAS: The Office of National Drug Control Policy (ONDCP) and the Centers for Disease Control and Prevention (CDC) have partnered in an effort to reduce substance abuse among youth; and

WHEREAS: Tioga County Mental Hygiene needs authorization to receive Federal Funding for the Drug Free Communities (DFC) Grant in partnership with Tioga County Public Health, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition; and

WHEREAS: Tioga County Mental Hygiene was originally awarded said grant in 2018 and was awarded a five-year extension renewed annually from 09/30/2023 through 09/30/2028; and

WHEREAS: This grant year is 09/30/2024 through 09/29/2025 and the said funds need to be appropriated annually; and

WHEREAS: The Department deems it to be in the best interest of the community and youth of Tioga County to renew this grant funding; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4213.444863	Federal Aid DFC Grant	\$125,000
To: A4213.540590	Services Rendered DFC Grant	\$125,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$125,000 will be carried forward into the New Year 2025.

RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4213.444863 STOP	Federal Aid DFC Grant	\$ 60,000
To: A4213.540590 STOP	Services Rendered	\$ 60,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$60,000 will be carried forward into the New Year 2025.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 266-24 *APPROPRIATION OF FUNDS*
BUDGET MODIFICATION 2024
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene has been allocated additional pass-through state aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: Tioga County Mental Hygiene has contracted with the Tompkins-Seneca-Tioga BOCES and Council on Alcohol and Substance Abuses of Livingston County, d.b.a. Trinity to provide these services to Tioga County residents and Tioga County Jail inmates; and

WHEREAS: Tioga County Mental Hygiene will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated and 2024 budget modified as follows:

From: A4211.434861	State Aid Council on Alcoholism	\$ 8,766.00
To: A4211.540590	Services Rendered	\$ 2,954.00
To: A4211.540595	Services Rendered Other	\$ 5,812.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 267-24 *APPROPRIATION OF FUNDS
BUDGET MODIFICATION 2024
MENTAL HYGIENE*

WHEREAS: The Office of Addiction Services and Supports (OASAS) has awarded the Local Government Unit (LGU) for Tioga County with dollars for the LGU to procure at its discretion based on the allowable use of funds per Settlement and Statute, funding from the Opioid Settlement Fund; and

WHEREAS: The funding is specifically designated for the purpose of Opioid Abatement; and

WHEREAS: Tioga County LGU has identified appropriate use of funds, the furnishings, supplies and equipment of a licensed OASAS and OMH clinic in Waverly, NY; and

WHEREAS: A4210 416300 will be funded from deferred revenue A269100 DR104:
and

WHEREAS: Appropriation of Funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That budget be modified and funding be appropriated as follows:

From: A4210 416300 ABATE	Narcotic Program Charges	\$100,000
To: H4310 520090 ABATE	Computer	\$ 10,000
To: H4310 520070 ABATE	Chairs	\$ 20,000
To: H4310 520200 ABATE	Office Equipment	\$ 60,000
To: H4310 540420 ABATE	Office Supplies	\$ 5,000
To: H4310 540640 ABATE	Supplies (Not Office)	\$ 5,000

And be it further

RESOLVED: That the following interfund transfer be approved:

From: A9950 593715	Interfund Transfers	\$100,000
To: H1340 450310	Interfund Transfers	\$100,000

And be it further

RESOLVED: That in accordance with Opioid Settlement Funding Statute, any unused portion of this funding be returned to the LGU to be used for other approved Opioid Abatement deliverables within Tioga County.

Legislator Mullen spoke. "I just want to say this is the continuation of our build out in Waverly and as you can see, we are getting closer."

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 268-24 *AMEND 2024 CAPITAL BUDGET AND
TRANSFER FUNDS FOR DAY HOLLOW RD.,
TAYLOR RD., AND BODLE HILL RD. PAVING REHAB
PUBLIC WORKS*

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a project, Day Hollow Rd., Taylor Rd., and Bodle Hill Rd. Pavement Rehabilitation PIN 9755.30; and

WHEREAS: Construction has been approved by the New York State Department of Transportation for the amount of \$1,116,700.00, in which 80% of Federal Funds will be reimbursed to Tioga County; and

WHEREAS: The non-Federal portion of Marchiselli funding is not yet approved, and until the funding is finalized, the County understands it will be responsible for the unfunded \$223,340 remaining; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That expense and revenue accounts be established in the 2024 Capital Budget as follows:

H5110.540001.H2402	Day Hollow Taylor Bodle Paving	\$1,116,700.00
H5110.445021.H2402	Federal Revenue for PIN 9755.30	\$ 893,360.00
H 390900	Unrestricted Fund Balance	\$ 223,340.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 269-24 AMEND 2024 CAPITAL BUDGET AND
TRANSFER FUNDS FOR TANDEM TRUCKS
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of 2 Tandem Axle Trucks within the 2024 Capital Budget; and

WHEREAS: On July 8, 2024 the Commissioner of Public Works received a sealed bid for the purchase of 2 Tandem Axle Trucks; and

WHEREAS: The quote came in higher than the budgeted amount; and

WHEREAS: Cost savings was achieved in another 2024 Capital Budget line and legislative approval is needed to authorize all Capital Expenses and Capital Budget Amendments and Transfers; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H5130.521906	One Ton Flatbed/Rollback Truck	\$20,000.00
To: H5130.521908	Tandem Axle Truck	\$20,000.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 270-24 *PURCHASING QUOTE EXEMPTIONS FOR THE USE OF LOCAL TELEVISION ADVERTISING PUBLIC HEALTH*

WHEREAS: Tioga County Public Health desires to use local television advertisement in the promotion of their programs, including Immunization, Injury Prevention and the ASAP Coalition; and

WHEREAS: Tioga County Public Health assumed management of the ASAP Coalition and inherited the approved plans for use of television advertising; and

WHEREAS: The County Purchasing and Payment Policy requires a gathering of three quotes for any cumulative purchase from any one vendor exceeding \$3,000.00; and

WHEREAS: Tioga County Public Health desires to utilize all local television stations during the course of the year; often overlapping for widespread coverage. Having all options available will ease the purchasing process and timelines for placing advertisements; and

WHEREAS: Section XIII of the County Purchasing and Payment Policy states that an exemption may be granted under any of the following circumstances, one including to be determined as sufficient justification by the Legislature; therefore be it

RESOLVED: That Tioga County Public Health be allowed to advertise as needed with local television stations without acquiring three quotes. Television stations include WBNG, WICZ and WIVT.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 271-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in September, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

September 3: Field of Forgotten Fallen - \$250.00 (MHO Funds)

September 11 & 12: Onward Ops Sponsor Events - \$1500.00 (ETSSP Grant)

September 28: 5th Annual Ruck March and BBQ - \$7,500(ARPA/MHO Funds)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

WHEREAS: On July 9, 2024 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$372,912.80
Dalrymple Gravel & Contracting, Pine City, NY	\$391,950.00
Bothar Construction, Binghamton, NY	\$431,875.60
Lancaster Development, Richmondville NY	\$459,265.44
Barrett Paving Materials, Liverpool, NY	\$522,165.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$372,912.80 to be paid out of the Paving Projects Account H5110.540001.H2301.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:	PUBLIC WORKS COMMITTEE
RESOLUTION NO. 274-24	AWARD BID FOR CODDINGTON ROAD PAVEMENT OVERLAY PUBLIC WORKS

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: On July 9, 2024 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY **\$357,427.20**

Dalrymple Gravel & Contracting, Pine City, NY \$391,825.00

Lancaster Development, Richmondville NY \$443,465.79

Barrett Paving Materials, Liverpool, NY \$498,265.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$357,427.20 to be paid out of the Paving Projects Account H5110.540001.H2301.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 275-24 *AWARD BID FOR DAY HOLLOW RD., TAYLOR RD., AND BODLE HILL RD. PAVING REHABILITATION PUBLIC WORKS*

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and Non-Federal funds for a project, Day Hollow Rd., Taylor Rd., and Bodle Hill Rd. Pavement Rehabilitation PIN 9755.30; and

WHEREAS: A budget has been established for this project; and

WHEREAS: On July 15, 2024 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$ 891,630.00
Dalrymple Gravel & Contracting, Pine City, NY	\$ 981,250.00
L & T Construction, Richmondville, NY	\$1,044,778.99

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$891,630.00 to be paid out of Day Hollow Taylor Bodle Paving Account H5110.540001.H2402.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 276-24 *AUTHORIZE CONTRACT WITH SQUAD 9, LLC
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has a need to enter into a contract with Squad 9, LLC to establish and manage a (TAC) Threat Assessment Committee in Tioga County to include training services and presentations; and

WHEREAS: The County Attorney has reviewed and approved this contract; and

WHEREAS: Legislative approval is needed to be in compliance with County purchasing policies; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Legislative Chair or their designee to enter into agreement with Squad 9, LLC, as approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 277-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON
BARTON SOLAR, LLC PAYMENT IN LIEU OF TAX
(PILOT) AGREEMENT*

WHEREAS: Barton Solar, LLC has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a “Solar Energy System” with an expected total capacity of approximately 4.5 Megawatts AC; and

WHEREAS: The project location is situated on a portion of the property located on Jacobs Road, Tax Map Number 142.17-1-2.1, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Tax (PILOT) Agreements with Barton Solar, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: Barton Solar, LLC has agreed to make an annual lump sum payment to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: The annual payment shall be in the aggregate amount of \$7,000 per Megawatt of Capacity and thereafter annual payments shall escalate by two percent (2%) per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Owego, mailed to the Town of Owego, and are due no later than January 31st of each year; and

WHEREAS: The Town of Owego shall be responsible for distributing the annual payments to the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the said payments shall be disbursed to the Town of Owego and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax (PILOT) Agreement between Barton Solar, LLC, the Town of Owego, and County of Tioga.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 278-24 CREATE AND FILL SEASONAL SOCIAL WELFARE
EXAMINER POSITION AND SEASONAL OFFICE
SPECIALIST I POSITIONS FOR THE HEAP PROGRAM
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 1, 2024; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

Two, full-time, seasonal Social Welfare Examiners for a combined total of 202 seven-hour days, at the starting salary of \$17.15 per hour; and

Three, full-time seasonal Office Specialist I for a combined total of 274 seven-hour days, at the starting salary of \$15.00 per hour; and

WHEREAS: Seasonal HEAP staff will start working no sooner than September 23, 2024, and stop working no later than April 30, 2025; and

WHEREAS: No individual Seasonal staff member will work more than 129 seven-hour days; and

WHEREAS: The NYS Minimum Wage is scheduled to increase on December 31, 2024, to a rate to be published by the Commissioner of Labor on or before October 1, 2024, and Tioga County intends to pay at least minimum wage so the hourly rates for Office Specialist I positions will be adjusted accordingly as of December 31, 2024; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ITCS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 279-24 *AMEND RESOLUTION NO. 225-24;
AUTHORIZATION TO FILL VACANT NETWORK
ADMINISTRATOR POSITION WITHIN INFORMATION
TECHNOLOGY AND COMMUNICATION SERVICES
DEPARTMENT*

WHEREAS: Resolution No. 225-24 adopted on June 11, 2024 authorized the funding of the Network Administrator at the incorrect 2024 Management/Confidential salary range; and

WHEREAS: A resolution to appoint a Network Administrator will be presented for Legislature consideration at the August 13, 2024 Legislature meeting with the correct 2024 Management/Confidential salary; therefore be it

RESOLVED: That Resolution No. 225-24 be hereby amended to correct the 2024 Management/Confidential salary range to \$59,706 – \$69,706.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ITCS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 280-24 *AUTHORIZATION FOR APPOINTMENT OF
NETWORK ADMINISTRATOR FOR INFORMATION
TECHNOLOGY & COMMUNICATION SERVICES*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have identified a qualified candidate to fill said position; and

WHEREAS: The salary range for said position has been identified as \$59,706 to \$69,706; and

WHEREAS: Legislative approval is required for any appointment with an initial salary beyond the initial salary range identified for that position; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have determined that the qualified candidate possesses 10+ years' experience, which is sufficient experience and skills to justify an entry salary at the top of the salary range; therefore be it

RESOLVED: That the Chief Information Officer is authorized to provisionally appoint Ray Culliton as Network Administrator at an annual salary of \$69,706 effective August 26, 2024, pending successful completion of civil service examination requirements; and be it further

RESOLVED: That this resolution will be null and void if Mr. Culliton fails to pass the County mandated criminal background check.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Mullen to include the following additional RESOLVED statement:

“RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mr. Culliton shall be eligible for any authorized 2025 Management/Confidential salary increase effective February 26, 2025, following a successful six-month evaluation.”

ROLL CALL VOTE ON THE AMENDMENT

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION AMENDMENT ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 281-24 *AUTHORIZE APPOINTMENT OF
 CHIEF ACCOUNTANT – TREASURER’S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The position of Chief Accountant became vacant as of July 29th, 2024 within the Treasurer’s Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a qualified candidate; therefore be it

RESOLVED: That Laura Schurter is provisionally appointed to the title of Chief Accountant, pending successful completion of civil service examination requirements, at an annual Management/Confidential salary of \$69,403, retroactive to August 12th, 2024; and be it further

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 284-24 *AMEND EMPLOYEE HANDBOOK: SECTION IV.
PERSONNEL RULES, SUBSECTION T. ENTITLED RIGHTS
OF NURSING EMPLOYEES TO EXPRESS BREAST MILK*

WHEREAS: The Tioga County Rights of Nursing Employees to Express Breast Milk policy was adopted by Resolution No. 419-22; and

WHEREAS: Section 206-c of the New York State Labor Law now requires employers to provide reasonable paid break time to express breast milk; and

WHEREAS: The County Attorney has reviewed this policy for compliance with State and Federal Law and has identified the need to amend language in Tioga County Rights of Nursing Employees to Express Breast Milk policy in regard to unpaid time to express breast milk; and

WHEREAS: The County Attorney has revised the Rights of Nursing Employees to Express Breast Milk to reflect these changes; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add the revised policy to Section IV. Personnel Rules, Subsection t., entitled Rights of Nursing Employees to Express Breast Milk.

t. Rights of Nursing Employees to Express Breast Milk

Tioga County Right of Nursing Employees to Express Breast Milk

- I. Policy
- II. Paid Break Time
- III. Reasonable Effort and Privacy
- IV. Close Proximity
- V. Non-Discrimination

I. Policy

Tioga County shall provide written notification of the provisions of Labor Law §206-c to all employees hired and again every year after, as well as those returning to work following the birth of a child of their right to take paid leave for the purpose of expressing breastmilk. This notice will be provided to employees generally through the Employee Handbook and will be included in new employee orientations.

Employees are required to provide reasonable advance notice to their supervisors, preferably before the employee's return to work, for the scheduling of reasonable leave time and to establish a reasonable location to express breast milk.

Tioga County provides a supportive environment where employees may express breast milk during work hours. Employees who work remotely have the same rights to paid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person. Employees who choose to express breast milk in the workplace will not be discriminated against in any way.

II. Paid Break Time

Employees who choose to express breast milk will receive:

- Paid break time of 30 minutes and their normal breaks and mealtimes to breastfeed or express breast milk during work hours. Employees can use breaks and mealtimes to express breast milk for up to three years following childbirth (New York State Labor Law §206-c and Section 7 of the Fair Labor Standard Act).
- Paid break time is unique to every individual and the frequency of breaks will be based on each individual's needs.
- Paid break time that may run concurrent with regularly scheduled paid break or meal periods for time in excess of 30 minutes.

Employees may be required to postpone scheduled paid break time up to thirty minutes if they cannot be spared from duties until appropriate coverage arrives.

While Tioga County cannot require that an employee works while expressing breast milk, Labor Law § 206-c does not otherwise prevent an employee from voluntarily choosing to do so if they want to.

An employee may opt to take shorter paid breaks.

III. Reasonable Effort and Privacy

Tioga County will make a reasonable effort to provide a room or other location (not a toilet stall or restroom) close to the employee's work area where they can privately breastfeed or express breastmilk. This location or room will be sanitary, private and contain at minimum a chair, a small table or other flat surface, be well-lit at all times, have a lock or a sign for when the location is in use to ensure privacy, an electrical outlet, a refrigerator for storing expressed breast milk or a refrigerator in close proximity, and be located near a sink with running water so that employees can wash their hands and rinse out breast pump parts.

Employees may also breastfeed or express breast milk in their own private offices or in other comfortable locations agreed upon with their supervisor.

IV. Close Proximity

Any room or location provided for the expression of breast milk will be in close proximity to the work area of the employee(s) using it for the expression of breast milk. The room or location will be within walking distance and will not appreciably lengthen break time.

V. Providing a Request

If an employee wants to express breast milk at work, they need to provide Tioga County with reasonable advance written notice, generally before returning to work. This advance notice is to allow Tioga County the time to find an appropriate location and adjust schedules if needed. Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to the Personnel Officer. Tioga County will respond to this request for a room or other location to express breast milk as soon as possible. Tioga County will notify the employee in writing of the designated location.

VI. Non-Discrimination

Tioga County will not discriminate in any way against an employee who chooses to express breast milk in the workplace. Encouraging or allowing a hostile work environment could constitute discrimination within the meaning of this policy.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth three (3) late-file resolutions for Legislature consideration, seconded by Legislator Brown. Motion carried.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 285-24 APPOINT 2nd ASSISTANT COUNTY ATTORNEY
LAW DEPARTMENT

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Due to the promotion of the 2nd Assistant County Attorney to the position of the 1st Assistant County Attorney the position of the 2nd Assistant County Attorney has been vacant since May 20, 2024; and

WHEREAS: The County Attorney has recruited and identified a qualified candidate whom he would like to hire for said position; and

WHEREAS: The County Attorney has determined Nicole Pence to be a qualified candidate; therefore be it

RESOLVED: That the County Attorney is hereby authorized to provisionally appoint Nicole Pence to the title of 2nd Assistant County Attorney effective September 9, 2024, at an annual Management/Confidential salary of \$92,000.00; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits Policy, Dr. Pence shall be eligible for any authorized 2025 Management/Confidential salary increase effective March 9, 2025, following a successful six-month evaluation; and be it further

RESOLVED: That this resolution will be null and void if Dr. Pence fails to pass the County mandated background check.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 286-24 *FILING OF AN APPLICATION FOR DESIGNATION
GRANT FROM NYSERDA CLEAN COMMUNITIES
PROGRAM*

WHEREAS: Tioga County recently completed and submitted a Fleet Inventory action under NYSERDA's Clean Energy Communities program; and

WHEREAS: Through this action, Tioga County Solid Waste is eligible for a Designation Grant in the amount of \$10,000; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grant; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the application.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 287-24 *AWARD BRIDGE PREVENTATIVE MAINTENANCE
PHASE X, PIN 9754.59 CONSTRUCTION CONTRACT*

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: Funding is available for this portion of the project; and

WHEREAS: On August 9, 2024 the Department of Public Works received sealed bids from the following contractor:

R. DeVincentis Construction Co., Binghamton NY **\$165,000.00**

And

WHEREAS: This will be contingent upon NYSDOT concurrence; therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, R. DeVincentis Construction Co., Binghamton, NY not to exceed \$165,000.00 to be paid out of the Bridge Account D5110.540050.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Brown, Ciotoli, Flesher, Monell, Sauerbrey, and Mullen.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:12 p.m.

Ninth Regular Meeting
September 12, 2024

The Ninth Regular Meeting of 2024 was held on September 12, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked for a moment of prayer. "Holy God, Creator of all people and nations, it is with sorrow and apprehension we remember the tragic events that occurred on the day of September 11, 2001. We lift you all in prayer; all those who died in the Twin Towers, Pentagon, and United States Flight 93 in Shanksville, Pennsylvania. We entrust them to your loving care. Console their families, friends, and all who mourn this loss and hope that all who trust in you find peace and rest in your Kingdom. We pray, in addition, for the government leaders across this great nation that we would be wise and honest in our decisions and make the best decisions on behalf of the people we represent. And, that we would remain under the cover of the Almighty God."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 32 people in attendance.

Chair Sauerbrey reported we have one proclamation; **Employee Recognition and Appreciation Week (9/16 – 9/20/24)** that will be read and presented by Steven Palinosky, Employee Recognition Committee member.

Steve Palinosky spoke. "Good afternoon, my name is Steve Palinosky, and I will be reading today's Employee Recognition proclamation. But first, on behalf of the Employee Recognition Committee, I would like to thank the Legislature for their continued support of this program. I would also like to thank the Department Heads, supervisors, co-workers, and friends of our honorees who have joined us today.

"I would like to remind everyone of our Employee Recognition events over the next two weeks. Next week, we will be giving out our pins and attachments for employees who have 5, 10, 15, or more years of service. We will be conducting the first pin ceremony at 56 Main Street on September 16th at 11:00 a.m., and then out to Public Works that afternoon at 3:30 p.m. On Tuesday, September 17th, we will be at the Sheriff's Office at 11:00 a.m. and we wrap up on Thursday, September 19th at the Health & Human Services Building at 11:00 a.m. Concurrent with those pin ceremonies, I would like to remind everyone that Country Boys Kitchen food truck will be onsite to provide lunch for all employees. Finally, we will honor those

names we read today at our Employee Recognition Luncheon at Donoli's Restaurant on Thursday, September 26, 2024 at 12:00 p.m.

"Before we get to the proclamation, I would like to invite Chair Sauerbrey to offer some remarks."

Chair Sauerbrey spoke. "I would just like to say, on behalf of the Legislature, thank you to all the County employees because you are what makes our government happen. We are so proud and appreciative of the service you provide and the things that you do on behalf of this community, so this is the time of year that we recognize you and appreciate all the things you do. There is no way we could remember all the details that you have done, but I look out into this crowd, and I see years of experience and changes that have happened in government. Some of it has been rocky and some of it has been wonderfully exciting with a feeling of accomplishment. Again, thank you all for your service. It is very much appreciated."

Steve Palinosky spoke. "Thank you, Chair Sauerbrey. Now, on to the proclamation. When I read your name, I would like to invite those who are in attendance to come forward for your official copy."

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25-35 years since last year's ceremonies:

Name	Department	Years
Kristen Kallin	Probation	35
Beth Ayers	Social Services	30
Linda Beers	Mental Health	30
Alan Bobier	Sheriff	30
Cathy Haskell	Legislature	30
Todd Kopalek	Public Health	30
James McFadden	Treasurer	30
Michael Bidwell	Public Works	25
Brian Cain	Probation	25
Shawn Kemmery	Sheriff	25
Kimberly Lombardoni	Sheriff	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of September 16th – 20th, 2024 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

in the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

Steve Palinosky spoke. "Again, our thanks to the Legislature and thanks to all who have come to support our honorees. This concludes our Employee Recognition proclamation reading. Thank you."

Chair Sauerbrey reported we have one person for privilege of the floor.

Tim Perfetti, representing the Office of the State Comptroller, spoke. "My name is Tim Perfetti and I am the new regional representative for the Office of the New York State Comptroller, Tom DiNapoli. I have some information that I would like to handout to you if that is okay because a lot of people do not seem to know what the Comptroller does. I am the guy when I walk through the door you ought to smile because I am not an auditor. I have nothing to do with LGSA or State Government accountability. I am here as a regional representative, so if you have any business before the Comptroller, I should be your first point of contact. Because what I can do is help expedite things. We are from the government, and we are here to help you. I cover Cattaraugus, Allegany, Steuben, Chemung, Tioga, Schuyler, Cortland, Broome, Chenango, and Otsego Counties. I live in Cortland County, so if you need me, I am right up the road. I do not want you to come to my office in Binghamton, NY. I do not even go there because if I am there, I am not out representing the boss talking to you people. I will come to you. I believe you go where the people are. If you need me, call me.

"I have a friend. His stepfather died and his mom is getting the pension. She has a question, and I tell my friend to have your mom call me. She doesn't want to call me. Why? Because she doesn't want to talk to a big wig. She just wants to get someone on the phone in Albany, NY to answer the question. Twice she was on the phone, and she was on the phone so long that she got disconnected. I said to my friend again to have his mom call me. We could only set this up for a Saturday where I could get together with him and his mother. That Saturday I told him I am going to send an email today simply, so I do not forget to send it on Monday. I leave and 20 minutes later I call my friend and tell him to tell his mother to check this box and she will be fine, as he already answered the email.

"We can move things that quickly. It is not that the person in Albany, NY doesn't want to talk to you. They have one person at a phone and potentially thousands of people calling. You have one regional representative. I get paid the same whether I am fighting or marching. Make me fight for you. I mean that from the bottom of my heart. I want to work for you folks. You got business with the Comptroller, call me. Thank you."

Legislator Monell made a motion to approve the minutes of August 13, 2024, seconded by Legislator Brown and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:	ED&P COMMITTEE
RESOLUTION NO. 288-24	<i>DESIGNATION OF TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION, D.B.A. TIOGA COUNTY TOURISM, AS AUTHORIZED TOURISM PROMOTION AGENCY FOR 2025</i>

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the County; and

WHEREAS: The Tioga County Tourism Office coordinates with the State in its tourism grants program; and

WHEREAS: The New York State Tourism Grants Program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA); therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2025 budget year and authorized to make application for and receive grants on behalf of the County pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 289-24 *RECOGNIZE TIOGA COUNTY CHAMBER OF
COMMERCE AS THE COUNTY'S OFFICIAL
CHAMBER OF COMMERCE*

WHEREAS: The Tioga County Chamber of Commerce, originally incorporated as the Owego Chamber of Commerce on June 4, 1919 has continuously strived to promote a healthy and robust business environment and advocate for its member businesses throughout the community; and

WHEREAS: The Tioga County Chamber of Commerce is the largest and oldest Chamber in the county, serving all sections of Tioga County as well as parts of Broome, Tompkins, and Bradford Counties; and

WHEREAS: The Chamber plays a vital role in promoting business and community involvement, fostering the growth of local businesses, and enhancing the quality of life for every business and individual in the region; and

WHEREAS: The Tioga County Chamber offers valuable services and new opportunities to its members, advancing the local community through outstanding promotion, support, and advocacy for economic development; and

WHEREAS: The Chamber's Junior Chamber program enriches the lives of high school students attending the Owego-Apalachin School District, and its

administration of Leadership Tioga supports businesses and nonprofits throughout the Southern Tier; and

WHEREAS: The Tioga County Chamber of Commerce works closely with local and state agencies to provide essential information and support, creating a solid cornerstone for the community; and

WHEREAS: Over its distinguished 100-year history, the Tioga County Chamber of Commerce has demonstrated continuous service to the residents and communities it serves, encouraging and supporting new business opportunities, facilitating partnerships, and promoting the growth of existing businesses; and

WHEREAS: The success of the Tioga County Chamber of Commerce is directly correlated to the dedicated efforts of its Board of Directors, staff, and members, whose commitment, enthusiasm, and excellence have greatly benefited the organization and community it serves; and

WHEREAS: The Tioga County Chamber of Commerce will continue to be a leading resource for information about tourism, local events, and business education for many years to come; therefore be it

RESOLVED: That the Tioga County Legislature hereby recognizes the Tioga County Chamber of Commerce as the official Chamber of Tioga County, recognizing its invaluable contributions to the business community and its role in fostering economic growth and prosperity throughout the region.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 290-24	ACCEPTANCE OF THE APPLICATION FOR VERA CLARK TIOGA COUNTY SEARCH AND RESCUE TEAM

WHEREAS: The NYS Environmental Conservation Law gives authority to the DEC Forest Rangers to direct search and rescue missions as well as provide training and support to other agencies that do the same; and

WHEREAS: New York State Department of Environmental Conservation (DEC) Forest Rangers respond to search and rescue incidents statewide. Working with other state agencies, local emergency response organizations, and volunteer search and rescue groups, Forest Rangers locate, and extract lost, injured, or distressed people from across New York State; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Vera Clark currently possesses training and skills needed by the Tioga County Search and Rescue Team; therefore be it

RESOLVED: That Vera Clark be added to the Tioga County Search and Rescue Team roster.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 291-24 *ACCEPTANCE OF THE
APPLICATION FOR PENELOPE WARD
TIOGA COUNTY SEARCH AND RESCUE TEAM*

WHEREAS: The NYS Environmental Conservation Law gives authority to the DEC Forest Rangers to direct search and rescue missions as well as provide training and support to other agencies that do the same; and

WHEREAS: New York State Department of Environmental Conservation (DEC) Forest Rangers respond to search and rescue incidents statewide. Working with other state agencies, local emergency response organizations, and volunteer search and rescue groups, Forest Rangers locate, and extract lost, injured, or distressed people from across New York State; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Penelope Ward currently possesses training and skills needed by the Tioga County Search and Rescue Team; therefore be it

RESOLVED: That Penelope Ward be added to the Tioga County Search and Rescue Team roster.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 292-24 *ACCEPTANCE OF THE
APPLICATION FOR RICHARD VANHALL
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Office of Emergency Services provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Richard VanHall has applied for membership to the County Haz-Mat Team; and

WHEREAS: Richard VanHall currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; therefore be it

RESOLVED: That Richard VanHall be added to the Tioga County Haz-Mat Team roster.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 293-24 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2025 County taxes among the several Towns are hereby established as follows:

Town of Barton	60.50
Town of Berkshire	71.00
Town of Candor	66.70
Town of Newark Valley	47.00
Town of Nichols	18.40
Town of Owego	53.50
Town of Richford	74.50
Town of Spencer	79.00
Town of Tioga	4.50

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 294-24 *AMEND RESOLUTION NO. 291-19;
AUTHORIZE AMENDED AGREEMENT WITH
MOTOROLA SOLUTIONS CHANGE ORDER # 6
EMERGENCY MANAGEMENT*

WHEREAS: Resolution No. 291-19 authorized the Director of Emergency Services to enter into an agreement with Motorola Solutions for a P25 Phase 1 Digital Simulcast Trunked Radio System at an amount not to exceed \$9,620,000; and

WHEREAS: Change Order #1 separated the Computer Aided Dispatch (CAD) from the Radio Tower Project at no cost to the County; and

WHEREAS: By Resolution No. 23-22, the Legislature authorized Change Order #2 for additional tower sites, equipment and conversion to a P25 Phase 2 Digital Simulcast Trunked Radio System for a cost not to exceed \$3,100,000; and

WHEREAS: By Resolution No. 152-22, the Legislature authorized Change Order # 3 to include adding Owego Police to the Computer Aided Dispatch (CAD); adding Digital Evidence Module for Owego; adding Pictometry for Mapping; adding Rapid Notification Module; and Data Transfer Costs for a cost not to exceed \$133,020.84; and

WHEREAS: By Resolution No. 20-23 and Resolution No. 123-24, the Legislature authorized the County to enter into a lease with Motorola Solutions at an amount not to exceed \$4,044,973.15; and

WHEREAS: By Resolution No. 444-23, the Legislature authorized Change Order #4 to include the additional cost of building 4 new tower sites, refurbishing one county owned site, adding our equipment to PA State Police site and additional enhancements to radio and telephone equipment that has changed since the original contract of 2019 for an additional cost not to exceed \$5,650,000; and

WHEREAS: By Resolution No. 199-24, the Legislature authorized Change Order #5 to include a shelter and generator for the Ballou Road tower site at a cost not to exceed \$619,642.08 with Motorola Solutions; and

WHEREAS: With the progression of the radio project, it is necessary to add the Aware for 911 product line, at no additional cost to the County, to facilitate the implementation of 911 Data Assist (RAVE); therefore be it

RESOLVED: That the County Legislature hereby authorizes an amended agreement by way of Change Order #6 with Motorola Solutions, 500 West Monroe Street, 44th Floor, Chicago, IL 60661 to add the Aware for 911 product line at no cost to the county; and be it further

RESOLVED: That the Chair of the Legislature be authorized to execute Motorola's Change Order #6, after review and approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 295-24 *AMEND RESOLUTION NO. 230-24;
EXECUTE LEASE EXTENSION WITH
MCP ENTERPRISES, INC. FOR
CHILD ADVOCACY CENTER*

WHEREAS: The Department of Social Services was authorized by way of Resolution No. 230-24 to extend a lease with MCP Enterprises, Inc. for office space at 6 McMaster St., Suite #3, Owego at a monthly rate of \$900 for the Child Advocacy Center in Tioga County; and

WHEREAS: On July 23, 2024, MCP Enterprises, Inc. sold the property and assigned the Department of Social Services' lease to the new owner, C & M Real Estate Holdings, LLC.; and

WHEREAS: The space needs of the center necessitate a larger space; and

WHEREAS: A larger space in the building, marked as Suite #2, suitable in size for the proper operation of the Child Advocacy Center has become available, and C & M Real Estate Holdings, LLC has offered an Addendum to the existing lease acknowledging the Department of Social Services' move to Suite #2; therefore be it

RESOLVED: That the Chair of the Legislature is authorized and directed to sign said Lease Addendum with C & M Real Estate Holdings, LLC for space at 6 McMaster St., Owego, NY, Suite #2 commencing on October 1, 2024 at the monthly rate of \$1,900.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 296-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Day Hollow Road, Taylor Road, Bodle Hill Road Pavement Rehabilitation PIN 9754.30 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Support and Construction Inspection work; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Support and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$1,116,700.00 is hereby appropriated from Paving Projects Account H5110.540001.H2402 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 297-24 *AUTHORIZE COMMITMENT OF CASH MATCH FOR
VILLAGE OF NEWARK VALLEY EMPIRE STATE
DEVELOPMENT PLANNING & FEASIBILITY STUDIES
GRANT APPLICATION FROM ECONOMIC
DEVELOPMENT*

WHEREAS: The Village of Newark Valley is applying to Empire State Development's (ESD) Planning & Feasibility Studies grant program to fund a consulting firm to develop a new Downtown Economic Development Strategic Plan as encouraged by ESD staff; and

WHEREAS: This downtown plan project budget is \$45,000 as determined by conducting a Request for Proposals to various consultants; and

WHEREAS: If awarded and upon completion, the intention of the Village of Newark Valley Downtown Economic Strategic Plan is to proceed to an ESD New York Forward grant application in the future; and

WHEREAS: ESD requires a 50% cash match for Planning & Feasibility Studies grant program and Tioga County Economic Development would like to contribute a small amount of cash to the proposed project budget in partnership with the Village of Newark Valley, who will commit the remaining of the 50% match in cash; and

WHEREAS: In 2025, Economic Development anticipates having \$5,000 available in the budget line item of A6422.540590 Services Rendered to commit as Tioga County's cash match to said grant application; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes earmarking a total cash match commitment of \$5,000 from the 2024 Economic Development budget as specified; and be it further

RESOLVED: That if the Village of Newark Valley is awarded the grant request from NYS Empire State Development in late fall of 2024 these funds be carried forward to the specified account in 2025.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 298-24 *AUTHORIZE CONTRACT WITH
A NEW HOPE CENTER
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with A New Hope Center to provide two Advocates, funded through the New York State Office of Victim Services, to assist the Child Advocacy Center in their mission; and

WHEREAS: The Department of Social Services wishes to renew the contract for October 1, 2024 through September 30, 2025 in the amount of \$142,498.15; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with A New Hope Center for the period October 1, 2024 through September 30, 2025.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 299-24 APPROVE 2025 STOP DWI PLAN

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires counties to submit an annual STOP DWI Plan by October 1st for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2025 STOP DWI Plan to the Tioga County Legislature for approval; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the 2025 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$ 9,000
Prosecution Related	\$ 1,000
Probation	\$ 5,000
Rehabilitation	\$ 1,000
PI&E	\$17,000
Administration	\$ <u>450</u>
	\$33,450

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 300-24 AMEND TIOGA COUNTY SANITARY CODE PUBLIC HEALTH

WHEREAS: The Tioga County Sanitary Code assists Tioga County Public Health Division of Environmental Health in upholding rules and regulations to protect the health and well-being of our community; and

WHEREAS: This document has not been reviewed since its establishment in May 2001; and

WHEREAS: Tioga County Public Health under advisement by Tioga County Board of Health, with consultation from the Tioga County Attorney, has determined a need to amend the May 2001 document to be up to date with current practice and align with New York State Sanitary Code regulations; and

WHEREAS: Tioga County Board of Health has reviewed and approved proposed amendments as of August 5, 2024; and

WHEREAS: The amended Tioga County Sanitary Code requires Legislative approval prior to filing with the New York State Department of Health Center for Environmental Health and the Tioga County Clerk's Office; therefore be it

RESOLVED: That the Tioga County Sanitary Code is hereby amended as follows:

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ARTICLE I

Short Title; General Definitions; General Provisions

Section 1. Short Title

The rules and regulations herein contained together with any and all amendments thereto shall constitute and comprise the Sanitary Code of the Tioga County Health District and be known and may be cited as the Tioga County Sanitary Code.

Section 2. General Definitions

Whenever used in this Code, unless otherwise expressly stated or unless the context or subject matter requires different meaning, the following terms shall have the respective meanings hereafter set forth or indicated.

1. **Animal Waste** shall mean the accumulated feces and urine from any animal, the feces of fowl, embryos, blood, and any other offal, solids or fluids resulting from the raising or slaughtering of these animals or fowl, including used bedding.

2. **Board** shall mean the Board of Health of the Tioga County Health District.
3. **Sanitary Code** shall mean and comprise the rules and regulations now or hereafter formulated, promulgated and adopted by the Board of Health of the Tioga County Health District pursuant to Section Three Hundred and Forty-seven (347) of the Public Health Law.
4. **Commissioner** shall mean the Commissioner or the Director of Public Health of the Tioga County Health Department, or his duly authorized representative.
5. **County** shall mean the County of Tioga County.
6. **Department** shall mean the Department of Health of the Tioga County Health District.
7. **Dwelling Unit** shall mean any room or group of rooms located within a dwelling and forming a single (habitable) unit with facilities which are used or intended to be used for living, sleeping, cooking, or eating.
8. **Food Service Establishment** shall mean any place in which food is prepared for a public service, including all eating and drinking establishments whether fixed or mobile, temporary or permanent except common carriers in interstate service.
9. **Health District** shall mean the Tioga County Health District (the area of Tioga County) established pursuant to the provisions of Section Three Hundred and Forty (340) of the Public Health Law.
10. **Offensive Material** shall mean any sewage or human fecal matter or the contents of holding tanks, cesspools, septic tanks and chemical toilets in either liquid or solid state.
11. **Permit** shall mean a written license and/or authorization to carry on a specified activity or activities as regulated by this Code, the State Sanitary Code or the Public Health Law, and includes any written approval issued by the Commissioner or his duly designated representative.
12. **Permittee** shall mean a person who holds a valid permit issued by the Commissioner, the State Department of Health or the State Department of Environmental Conservation.
13. **Person** shall mean an individual, group of individuals, partnership, firm, corporation, association, county, city, town or village or improvement district, and include the plural as well as the singular.
14. **Public Health Council** shall mean the Public Health Council of the State of New York as described in Sections Two Hundred and Twenty (220) through Two Hundred and Twenty-Five (225) of the Public Health Law.
15. **Public Health Law** shall mean the Public Health Law of the State of New York constituting Chapter Forty-five of the consolidated laws.

16. **Public Place** shall mean any place or premises, wherein the general public is or may be an invitee, regardless of whether or not such place is owned, maintained or operated by a private organization or agency, but shall not be construed as conferring jurisdiction over a State or Federal agency.
17. **Rubbish** shall mean solid or liquid waste material, including but not limited to: paper and paper products, rags, trees or leaves, needles and branches therefrom, vines, lawn and garden debris, furniture, cans, crockery, plastics, cartons, chemicals, paint, greases, sludges, oils and other petroleum products, wood, sawdust, demolition materials, tires and automobiles and other vehicles and parts for junk, salvage or disposal. Rubbish shall not consist of garbage or other putrescible material, incinerator residue, street sweepings, dead animals, offal, hazardous substances or offensive materials.
18. **Refuse** shall mean all putrescible and non-putrescible solid wastes including garbage, rubbish, ashes, incinerator residue, street cleanings, dead animals, offal and solid commercial and industrial wastes.
19. **State** shall mean the State of New York.
20. **State Sanitary Code** shall mean the rules and regulations promulgated under Section Two Hundred and Twenty-five (225) of the Public Health Law by the Public Health Council of the State of New York and designated as the State Sanitary Code.

Section 3. Applicability; Legal Effect

1. The provisions of this Code shall be in force throughout the Health District.
2. The provisions of this Code shall have the force and effect of law.
3. It shall be the duty of the Board and the Commissioner of the Health District, existing pursuant to law, to enforce every provision of this Code.
4. Nothing herein contained shall be construed to restrict the power of any city, town or village to adopt and enforce additional or existing ordinances relating to health and sanitation, provided that such ordinances are not inconsistent with the provisions of the Public Health Law, the State Sanitary Code or this Code.

Section 4. Legal Presumptions; Evidence; Reports as Evidence

1. As provided by Section Three Hundred and Forty-eight (348) of the Public Health Law, certified copies of this Code shall be received in evidence in all courts and proceedings in the State.
2. As provided by Section Three Hundred and Forty-seven (347) of the Public Health Law, every rule, regulation, order and direction adopted by the Board shall state the date on which it takes effect and a copy thereof signed by the Commissioner shall be filed as a public record in the Department, in the State Department of Health and in the Office of the Clerk of Tioga County and shall be published in such a manner as the Board may from time

to time determine. No such rule, regulation, order or direction shall be effective prior to filing as a public record in the State Department of Health.

3. As provided by Section Ten (10) of the Public Health Law written reports of State and local health officers, inspectors, investigators, nurses and other representatives of State and local health officers on questions of fact pertaining to, concerning or arising under and in connection with complaints, alleged violations, investigations, proceedings, actions, authority and orders, related to the enforcement of this Code, the Public Health law, the State Sanitary Code or any local health regulation shall be presumptive evidence of the facts so stated therein, and shall be received as such in all courts and places.

Section 5. Construction

1. This Code is intended to be consistent with the applicable Federal and State Law and shall be construed, whenever necessary, to achieve such consistency.
2. This Code shall be liberally construed for the protection of health and safety in the Health District.

Section 6. Separability of Provisions

In the event that any provision of this Code is declared unconstitutional or invalid, or the application thereof to any person or circumstance is held invalid, the applicability of such provision to other persons and circumstances and the constitutionality or validity of every other provision of the Code shall not be affected thereby.

Section 7. Meaning of Certain Words

Words used in the singular include the plural and the plural the singular, the masculine gender includes the feminine and the feminine the masculine.

ARTICLE II

Administration and Enforcement

Section 1. The Board of Health; Officers; Meetings

1. The Board shall meet in accordance with the by-laws.
2. The president, or other presiding officer of the Board may call special meetings thereof when in his judgment, the protection, preservation or improvement of the public health of the Health District or any part thereof requires it. *The president or other presiding officer of the Board must call a special meeting at the written request of the majority of the Board.*
3. A majority of the membership of the Board shall constitute a quorum at any regular or special meeting of the Board and not less than a majority of the total number of the Board may perform and exercise the powers of the Board.
4. The Board shall elect a president from among its members who shall serve as presiding officer of the Board.

5. The Board shall elect a vice-president from among its members who shall serve as presiding officer of the Board in the absence of the president.
6. The Board may adopt by-laws for the proper conduct of its affairs, election of officers and appointment and appointment of committees, not inconsistent with law.

Section 2. The Board of Health; Quasi-Judicial Powers

1. As provided by Section Three Hundred and Nine (309) of the Public Health Law, the Board may:
 - a. Issue subpoenas which shall be regulated by the State Civil Practice Law and Rules;
 - b. Compel the attendance of witnesses;
 - c. Administer oaths to witnesses and compel them to testify;
 - d. By resolution, designate one of its members to sign and issue subpoenas;
 - e. Appoint one or more hearing officers as shall be necessary to carry out its functions and duties. The Hearing Officer shall have the same powers possessed by the Board to hold and conduct hearings. The Hearing Officer shall function under the supervision of the Board and shall make findings of fact and recommendations to the Board;
 - f. Issue warrants to any peace officer of any municipality in the Health District to apprehend and remove such person or persons as cannot otherwise be subjected to its orders or regulations;
 - g. Issue warrants to the Sheriff of the County to bring to its aid the power of the County whenever it shall be necessary to do so;
 - h. Prescribe and impose penalties for the violation of or failure to comply with any of its orders or regulations, or the provisions of the State Sanitary Code not exceeding two thousand dollars (\$2,000) for a single violation or failure, to be sued for, and recovered by it in any court of competent jurisdiction;
 - i. Make, without publication thereof, such orders and regulations for the suppression of nuisances and concerning all other matters in its judgment detrimental to the public health in special or individual cases, not of general application, and serve copies thereof upon the owner or occupant of any premises whereon such nuisances or other matters may exist, or upon which may exist the cause of other nuisances to other premises, or cause the same to be conspicuously posted thereon; and
 - j. Maintain actions in any court of competent jurisdiction to restrain by injunction violators of their orders, rules and regulations of the Board, or otherwise to enforce such orders and regulations.

Section 3. The Commissioner; General Powers

1. As provided by Section Three Hundred and Twenty-four (324) of the Public Health Law, the Commissioner shall:
 - a. Make an annual sanitary survey and maintain sanitary supervision over the territory within the Health District;
 - b. Make a sanitary inspection periodically of all places of public assemblage, and report thereon to those responsible for the maintenance of such places of public assemblage;
 - c. Promote the spread of information as to the cause, nature and prevention of prevalent diseases, and the preservation and improvement of health;
 - d. Take such steps as may be necessary to secure prompt and full reports by physicians and veterinarians of reportable diseases;
 - e. Take such steps as may be necessary to secure prompt and completed registration of births and deaths;
 - f. Attend conferences called by the State Commissioner of Health or his authorized representative;
 - g. Enforce within the Health District the provisions of the Public Health Law, State Sanitary Code, and this Code.

Section 4. Inspections; General

1. The Commissioner may, during their regular business hours, inspect any premises, matter or thing subject to the provisions of this Code.
2. The Commissioner may, during their regular business hours, inspect any record required to be kept pursuant to the Public Health Law, State Sanitary Code, or this Code.
3. All premises covered by the regulation of this Sanitary Code shall be subject to inspection by the Commissioner or his official representative, and if any violation of the Sanitary Code exists on the premises any permit granted by the Commissioner may be suspended.

Section 5. Inspections; Interference

1. No person shall interfere with, obstruct or refuse to allow any employee or authorized representative of the Department to enter upon and inspect any premises, place or thing within the jurisdiction of the Department, in the discharge of his official duties or Department business.
2. No person shall interfere with, obstruct or refuse to allow the examination of any occupant of any premises, place or thing by an employee or authorized representative of the Department, in the discharge of his official duties.

3. No person shall interfere with or resist any employee or authorized representative of the Department in the discharge of his official duties.

Section 6. Inspections; Taking Samples

The Commissioner may take and remove any substance or thing or any necessary part or portion thereof from any premises or place as a sample for investigation or evidence when in the opinion of the Commissioner such substance or thing may be dangerous or detrimental to the public health.

Section 7. Notices; Posting; Destroying

1. Notices shall be in the English language, provided, however, if the Department is of the opinion that the person or persons to whom the required warning, notice or instructional sign is addressed may not understand the English language, the Department may require that such warning, notice or sign shall appear legibly in English and other designated foreign languages.
2. No person shall remove, mutilate, conceal, obstruct or tear down any notice or placard of the Department posted in or on any premises or public place pursuant to the requirements of the Public Health Law, State Sanitary Code or this Code, except by written permission of the Commissioner.

Section 8. Service of Notice

Unless otherwise expressly provided by the Public Health Law, by any other provision of this Code, or by the State Sanitary Code, service of notice of hearing shall *be made by registered or certified mail or by personal service*. 1. Where service, whether by personal service or by registered or certified mail, is made upon an infant, incompetent, partnership, corporation, governmental subdivision, board or commission, it shall be made upon the person or persons designated to receive personal service as prescribed by Article Three (3) of the State Civil Practice Law and Rules.

Section 9. Hearings

1. The Board may cause to be held a formal hearing on any application, complaint, circumstances, or alleged violation of the health laws and regulations under the jurisdiction of its Department.
 - a. Unless otherwise provided in the Public Health Law or State Sanitary Code, such hearings shall be on fifteen (15) days notice to the person or persons concerned and shall be set down for a day certain.
 - b. The notice of the hearing shall set forth:
 - (1) The time and place of the hearing;
 - (2) The purpose of the hearing;
 - (3) Charges and violations complained of, if any, with specific reference to the provisions and sections of the Public Health Law, State Sanitary Code and this Code involved;
 - (4) the right to present evidence;

- (5) the right to examine and cross-examine witnesses; and,
 - (6) the right to be represented by counsel.
2.
 - a. On the return day of the hearing, the Hearing Officer shall note the appearances of the persons attending the hearing.
 - b. Witnesses shall be sworn and testimony shall be recorded.
3. The Hearing Officer shall thereafter prepare findings of fact and conclusions. *The Hearing Officer shall make recommendation for corrective actions to be required as well as penalties to be assessed. After considering the Hearing Officers recommendation the Board shall make a formal order of final corrective actions and penalties to be required. Any requirements or penalties assessed shall be at the sole discretion of the Board. The Board shall not be bound by recommendations of the Hearing Officer.*
4. The order provided for in Subdivision 4 of this Section shall be filed in the Department and copy thereof be served on all respondents.
5. Nothing herein contained shall preclude the Department from taking any action other than the formal hearing provided for, as may be prescribed by law; nor shall the Department be precluded from taking such other action by virtue of the order made pursuant to this Section.

Section 10. Hearings; Appearances

1. At any hearing conducted pursuant to this Code, any party to the proceedings may appear personally and with *or without* counsel and shall be given the opportunity to produce evidence and witnesses and to cross-examine witnesses.
2. At any hearing conducted pursuant to this Code, if any party shall appear without counsel, the Hearing Officer shall advise such party of his right to counsel; and that if he desires to proceed without counsel, that he may call witnesses, cross-examine witnesses, and produce evidence in his behalf. *Counsel representing the party appearing before the Hearing Counsel shall be at their own expense.*
3. Appearances shall be noted on the official record of hearings.

Section 11. Investigations; Hearings; Adjournments

1. The Hearing Officer may grant adjournments upon request of any party to the proceedings, provided that an adjournment shall not be for an indefinite period of time, but shall be set down for a day certain.
2. If an adjournment is requested in advance of the hearing date, such request shall be submitted to the Hearing Officer in writing, and specify the reason for such request.
3. In considering an application for adjournment of a hearing, the Hearing Officer shall consider whether the purpose of the hearing will be affected or defeated by the granting of such adjournment.

Section 12. Investigations; Hearings; Subpoenas

The Board or any member of the Board designated by resolution of the Board for such purpose, shall *allow* subpoenas to *be issued at the request of any party. The serving of subpoenas and any connected expense shall be at the expense of the party issuing the subpoena.*

Section 13. Investigations; Hearings; Procedure

1. The Hearing Officer shall not be bound by the rules of evidence in the conduct of a hearing, but determination shall be founded upon sufficient legal evidence to sustain it.
2. Upon the conclusion of a hearing, the Board shall take such action upon such findings and determinations as it deems proper, and shall execute an order carrying such findings and determinations into effect.
3. The action of the Board may include the assessment of civil penalties in accordance with the Public Health Law.
4. An order of suspension or revocation of any permit or license may contain such provisions as to renewal or reinstatement as the Board shall direct.
5. The Board may direct a re-hearing or require the taking of additional evidence, and may rescind or affirm a prior determination after such rehearing.
6. *Records of a formal hearing shall be made available to all parties through Tioga County Freedom of Information Law (FOIL).*

Section 14. Post-Hearing Procedures

1. The Commissioner shall cause to be served upon the respondents copies of findings of fact, conclusions and orders made as a result of a formal hearing.
2. Service of findings of fact, conclusions and orders shall be made in the manner prescribed for the service of notice of hearings.

Section 15. Enforcement; Violations; Criminal Penalties

As provided by Section Three Hundred and Forty-eight (348) of the Public Health Law, the provisions of this Code shall have the force and effect of law and any non-conformance or non-compliance with any provision thereof shall constitute a violation punishable on conviction for a first offense by a fine not exceeding two hundred fifty dollars (\$250) or imprisonment for not exceeding fifteen (15) days, or both; and for a second or subsequent offense by a fine not exceeding five hundred dollars (\$500) or by imprisonment for not exceeding fifteen (15) days, or both.

Section 16. State Sanitary Code; Violations; Penalties

As provided for by Section Two Hundred and Twenty-nine (229) of the Public Health Law, the provisions of the State Sanitary Code shall have the force and effect of law and the non-compliance or non-conformance with any provision thereof shall constitute a violation punishable on conviction for a first offense by a fine not exceeding two hundred fifty dollars (\$250) or by imprisonment for not exceeding fifteen (15) days, or both; and for a second or subsequent offense by a fine not

exceeding five hundred dollars (\$500) or by imprisonment for not exceeding fifteen (15) days, or both.

Section 17. Willful Violation of Health Laws

As provided by Section Twelve-b (12-b) of the Public Health Law, a person who willfully violates or refuses to comply with any lawful order or regulation prescribed by the Board or Commissioner, is guilty of a misdemeanor; except however, that where such order or regulation applies to a tenant with respect to his own dwelling unit or to an owner occupied one or two family dwelling, such person is guilty of an offense for the first violation punishable by a fine not to exceed fifty dollars (\$50) and for a second or subsequent violation is guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500) or by imprisonment not to exceed six (6) months or by both such fine and imprisonment.

Section 18. Violations of Public Health Laws or Regulations; Penalties and Injunctions

1. As provided by Section Twelve (12) of the Public Health Law, any person who violates, disobeys or disregards any term or provision of the Public Health Law or of any lawful notice, order or regulation pursuant thereto for which a civil penalty is not otherwise expressly prescribed by law, shall be liable to the people of the State for a civil penalty not to exceed two thousand dollars (\$2,000) for every violation.
2. The penalty provided for in Subdivision 1 of this Section may be recovered by an action brought by the State Commissioner of Health in any court of competent jurisdiction.
3. *As provided by subdivision (f) of section 309 of the Public Health Law, any person who violates, disobeys, or disregards the terms of any order or regulation of the State Sanitary Code or of the Board, shall be subject to the imposition of a civil penalty, not exceeding two thousand dollars (\$2,000) for each violation or failure, to be sued for and recovered by it in any court of competent jurisdiction.*
4. Nothing in this Section contained shall be construed to alter or repeal any existing provisions of the law declaring such violations or any of them to be misdemeanors or felonies or prescribing the penalties therefor.

Section 19. Enforcement; Violations; Other Than by Prosecution

1. The Department may seek to obtain the voluntary compliance with this Code, the State Sanitary Code or the Public Health Law by way of notice, warning or educational means. *The Department may seek compliance or correction through any legal means or other remedy as provided for in New York State law.*
2. This Section shall not be construed to require that such non-compulsory methods must be employed or attempted before proceeding by way of compulsory or other legally prescribed procedures.

ARTICLE III

Permits and Licenses: Generally

Section 1. Permits and Licenses; Application

1. Application for a permit or for renewal of a permit shall be made on forms furnished by the Department and shall contain all information called for by said forms.
2. Application for a permit or for the renewal of a permit shall be accompanied by such other information, evidence or documentation as the Department may require or as may be provided by the Code.
3. In addition to the information specifically required to be submitted to the Department, or if no specific information is required for certain permits, the Department may require the following information;
 - a. The name, age, residence and business address of the applicant, and if the applicant is a partnership or other group, of each member of such partnership or group; and, if the applicant is a corporation, or each officer of the corporation; and
 - b. Information concerning the applicant, its individual members or officers, relating to education, training and experience, moral character, physical health, and history of prior criminal conviction, including violations and offenses, other than motor vehicle offenses.
4. Application for a permit or for the renewal of a permit shall be made by and signed by;
 - a. In the case of an individual who is to be the permittee, by the individual or his representative duly authorized in writing; or,
 - b. In the case of a partnership, by a general partner or a representative of the partnership duly authorized in writing; or,
 - c. In the case of an un-incorporated association or group, who shall submit a certified copy of a resolution of the governing board or executive committee of such association or group authorizing the making of such application; or,
 - d. In the case of a corporation, by a duly authorized officer or representative of the corporation, who shall submit a certified copy of a resolution of the board of directors of the corporation, authorizing the making of such application; or,
 - e. In the case of a municipality, other than the County, by the executive officer, or representative duly authorized in writing.
5. Every individual applicant for a permit or for renewal of a permit shall be eighteen years of age or over.

6. Application for a permit or renewal of a permit constitute an agreement that the permittee assumes responsibility for the operation, conduct and maintenance of the activity authorized by the permit, in accordance with the provisions of this Code and conditions required by the permit, and to inspections pertaining thereto.

Section 2. Permits and Licenses; Posting; Expiration

1. Every permit shall expire one year from the date of issuance unless otherwise stated in the permit and may be extended by the Department in writing for a specific limited time for cause.
2. Every permittee shall apply for renewal of a permit not later than thirty (30) days prior to the expiration date of such permit; unless otherwise required by the Code, the State Sanitary Code, or the Public Health Law.
3. A permittee shall comply with the conditions contained in the permit and the provisions and requirements of this Code, the State Sanitary Code, and the Public Health Law under which such permit was issued.
4. Every permit shall be kept on the premises designated or covered by the permit and shall be posted in a conspicuous place on such premises in such a manner as to be clearly visible to the public. It shall be available for inspection at all times by the Department.
5. Permits shall remain the property of the Department and shall be surrendered to a duly authorized representative of the Department on demand upon the expiration thereof or when suspended or revoked as herein provided.

Section 3. Permits and Licenses; Not Transferable

1. Except as may be otherwise provided in this Code a permit issued to a particular permittee or for a designated purpose, place or vehicle, shall not be valid for use by any other person or for any other purpose, place or vehicle.
2. Any attempted or purported transfer of a permit to a person not designated as the permittee therein, or for a purpose or place not authorized by such permit shall be cause to revoke such permit.
3. The Department may approve, in writing, the continuation of an activity authorized by a permit by a partnership, or by a sole remaining individual or group thereof, if the partnership or group originally authorized by such permit has been reorganized, provided that such change of organization has been duly recorded with the Department within ten (10) days after such change of organization.

Section 4. Permits and Licenses; Suspension and Revocation

1. The Board may suspend or revoke a permit which was issued by the Department for violation or non-conformance with the conditions or requirements or provisions of this Code, the State Sanitary Code or the Public Health Law under which such permit was issued.

2. The Board may suspend or revoke a permit for cause after due notice and hearing.

Section 5. Permits and Licenses; Refusal to Issue

1. Except as may be otherwise provided in the Public Health Law, the State Sanitary Code or this Code:
 - a. The Department may refuse to issue a permit or a renewal thereof when the application therefor is incomplete or not accompanied by the required fee, or outstanding penalties, if any.
 - b. The Department may refuse to issue a permit or renewal thereof when the applicant fails to provide any information required by the Department.
 - c. The Department may refuse to issue a permit or renewal thereof if the application or investigation thereof indicates to the Department that the activity or premises to be covered by the permit applied for does not meet the requirements of the Code, the State Sanitary Code or the Public Health Law or other provisions of law; or that, the maintenance, conduct or operation of such activity or premises does not meet the requirements or provisions of law or may result in a public health hazard.
 - d. The Department may refuse to issue a permit or renewal thereof or a certificate of approval for any activity, operation or premises that, in the opinion of the Department, may result in a condition which may be dangerous or harmful to health and life, or that fails to meet the requirements of the Public Health Law, the State Sanitary Code or this Code.
 - e. Except upon express authorization of the Board, no permit shall be issued to a person who within the previous six (6) months has had such permit revoked.
 - f. Approval of an application for a permit or renewal thereof shall be denied for any sufficient or competent reason, including but not limited to any of the following:
 - (1) the proposed construction, location, purpose, business or other act is in violation of any of the provisions of the Public Health Law, the State Sanitary Code, this Code or any local municipal law, ordinance or regulation; and or,
 - (2) inaccurate, incomplete, false or misleading information stated in the application, including any plans, drawings, specifications or other data submitted in support thereof; and or,
 - (3) failure to correct existing violations or regulations pertaining to any particular place, vehicle or business after service of written notice thereof, whether or not related to the pending application; and or,
 - (4) competency to perform not shown to the satisfaction of the Commissioner.

Section 6. Permits and Licenses; Denial; Suspension; Revocations; Forfeiture; Effective Date

1. Except as may otherwise be ordered by the Board or by the Commissioner, the denial of a permit or certificate of approval or the suspension or revocation of a permit or certificate of approval, shall become final upon notice thereof to the applicant or permittee concerned.
2. Service of a notice of denial or refusal to issue a permit or certificate of approval shall be made in the manner provided in the Code for the service of a notice of hearing.
3. A permit or written approval shall terminate and be considered forfeit and shall become null and void upon service of written notice and after a hearing under any of the following circumstances:
 - a. That the process of construction or the operation involved reveals conditions otherwise than as indicated in the approved plans, drawings, specifications and application; or,
 - b. That the construction or operation involved is a violation of any ordinance or regulation of any duly constituted government authority or any political subdivision thereof; or,
 - c. That the construction or operation involved is otherwise than in accordance with standards, rules and regulations pertaining to such construction or operation or the conditions of a permit or written approval pursuant to the provisions of the Public Health Law, the State Sanitary Code or this Code; or,
 - d. That no action has been taken under such permit or written approval within the period specified in the permit or written approval or if no period is specified, within a period of one (1) year following the date of issuance thereof, or within a period beyond which the purpose, need or usefulness of the permit or written approval no longer exists.

Section 7. Permits and Licenses; Denial; Appeal

1. Unless otherwise provided in the Public Health Law or State Sanitary Code, whenever the Department refuses to issue a permit or a renewal thereof or a certificate of approval and no hearing has been had in the matter, the applicant may appeal such action to the Board by serving a notice of appeal in writing in the Department addressed to the Commissioner or the Board within ten (10) days following the service of notice of denial or refusal to issue the permit or certificate of approval.
2. The notice of appeal shall contain:
 - a. The full name of the applicant, permittee or party affected; and,
 - b. The type of permit or renewal thereof or certificate of approval for which the application was made or the nature of the action complained of; and,

- c. The place of business listed in the application to which the appeal relates; and,
 - d. A statement that the applicant or permittee or other party affected appeals to the Board to review the action of the Department; and,
 - e. The signature of the applicant, permittee or party affected, or, if the permittee or party affected is not an individual the signature and title of a partner or other individual of the partnership or group, or of an officer of a corporate applicant, permittee or party affected.
3. Unless otherwise provided in the Public Health Law, within three (3) days following service of the notice of appeal, or simultaneous with service, the applicant, permittee or party affected shall submit a memorandum addressed to the Commissioner or to the Board containing his objection to the action of the Department.
 4. The applicant can have a hearing unless the Board feels there is no need for this except as may be otherwise prescribed by the Public Health Law or State Sanitary Code, the Board may affirm the action of the Department or it may set the matter down for a hearing upon notice as provided in in this Sanitary Code.

ARTICLE IV

Food Service Establishments

Section 1. Requirements

Part 14 of the State Sanitary Code establishes the regulations for food service establishments in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

Section 2. Permit Required

1. It shall be unlawful for any person to operate a food service establishment in the County unless such person possesses a valid permit issued by the Commissioner, pursuant to this Article, to operate such food service establishment.
2. Only persons who comply with the requirements of Part 14 of the State Sanitary Code shall be entitled to receive and retain such permit to operate a food service establishment.
3. Permits to operate a food service establishment, except for temporary food service establishments as defined in Part 14 of the State Sanitary Code, shall be issued annually, and will expire one (1) year from the date of issuance, except as otherwise stipulated on the permit.
4. A permit to operate a food service establishment may be suspended or revoked by the Commissioner pursuant to Part 14 of the State Sanitary Code upon violation by the holder of any of the requirements of said Part 14 of the State Sanitary Code.

ARTICLE V

Swimming Pools, Spray Grounds, Bathing Beaches and Spa Pools

Section 1. Applicability

The requirements of this Article shall not apply to a private swimming pool, bathing beach or other bathing facility owned and/or operated by an individual solely for the use of his family and friends.

Section 2. Requirements

Part 6 of the State Sanitary Code establishes the regulations for swimming pools, spray grounds, bathing beaches and spa pools in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

Section 3. Safety Plan

Operators of swimming pools, spray grounds, bathing beaches and spa pools must develop, update and implement a written safety plan, consisting of procedures for daily bather supervision, injury prevention, reacting to emergencies, injuries and other incidents, providing first aid and summoning help.

The safety plan shall be approved by the permit-issuing official and kept on file at the facility. Approval will be granted when all the components of this section are addressed so as to protect the health and safety of the bathers, and the plan sets forth procedures to ensure compliance with Subpart 6-1 of the State Sanitary Code.

ARTICLE VI

Temporary Residences, Mass Gatherings, Children's Camps, Campgrounds, and Migrant Farmworker Housing

Section 1. Requirements

1. Part 7 of the State Sanitary Code establishes the regulations for temporary residences, mass gatherings, children's camps, and campgrounds in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.
2. Part 15 of the State Sanitary Code establishes the regulations for Migrant Farmworker housing in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE VII

Mobile Home Parks

Section 1. Requirements

Part 17 of the State Sanitary Code establishes the regulations for Mobile Home Parks in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE VIII

Lead Poisoning Control

Section 1. Requirements

Subpart 67-2 of the State Sanitary Code establishes the regulations for Lead Poisoning Control-Environmental Assessment and Abatement in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE IX

Realty Subdivisions

Section 1. Requirements

Part 74 of the State Sanitary Code establishes the regulations for realty subdivisions in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE X

Tanning Facilities

Section 1. Requirements

Part 72 of the State Sanitary Code establishes the regulations for tanning facilities in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE XI

Clean Indoor Air Act and Adolescent Tobacco Use Prevention Act (ATUPA)

Section 1. Requirements

1. Article 13-E, Section 1399 of the Public Health Law establishes the regulations for the Clean Indoor Air Act in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

2. Article 13-F, Section 1399 of the Public Health Law establishes the regulations for the Adolescent Tobacco Use Prevention Act (ATUPA) in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

ARTICLE XII

Public Water Systems

Section 1. Requirements

Part 5 of the State Sanitary Code establishes the regulations for public water systems in the Tioga County Health District, as enacted and now or subsequently amended, with the same force and effect as though fully incorporated herein and set forth at length.

Section 2. Water Dispensing

No person or persons shall serve, provide or make available or accessible for others, drinking water which is not potable or from a supply which is not adequately protected and maintained.

Section 3. Ice for Human Consumption

1. Places manufacturing ice for use for human consumption shall meet the requirements of this article.
2. Protection from contamination: All ice intended for off-premises consumption shall be packaged and handled at all times so as to prevent contamination.
3. Labeling: All packaged ice offered for sale or use in the Tioga County Health District for human consumption, shall be labeled with the name of the producer and the words "Ice for human consumption."

ARTICLE XIII

Public Health Nuisances

Section 1. Definitions

Public Health Nuisance shall mean a condition or act which is or may become a detriment or menace to *public health or interfere with the free use of property so as to cause discomfiture affecting the health of the community* or persons in the neighborhood.

Section 2. Nuisances; Commissioners Duty to Investigate

The Commissioner shall receive and examine into all complaints made by any inhabitants of the Health District concerning nuisances or causes of danger or injury to life and health in the Health District and may request such complaints be made in writing.

Section 3. Nuisances; Investigations; Reports

1. A designated representative of the Board and/or the Commissioner may enter upon or within any place or premises where nuisances or conditions dangerous to life and health,

or which are the causes of nuisances elsewhere, are known or believed to exist to inspect or examine same.

2. The owners, agents or occupants of any place or premises shall permit sanitary examinations and inspections to be made pursuant to the provisions of this Article and Title One (1) of Article Thirteen (13) of the Public Health Law.
3. The Commissioner shall furnish the Board and the owners, agents and occupants of the place or premises on which conditions exist with a written statement of the results and conclusions of an examination or inspection conducted pursuant to this Article.
4. The Commissioner shall, if the condition is declared not to be a nuisance or condition dangerous to health or if no action is taken, forward the original or copies of all reports to the State Commissioner of Health within the time specified in Section 8.4 of the State Sanitary Code.

Section 4. Nuisances; Abatement and Suppression

1. The Board and/or the Commissioner shall order the suppression and removal of all nuisances and conditions detrimental to life and health found to exist within the Health District.
2. The Board and/or the Commissioner may, if the owner, agent or occupant of any place or premises whereon any nuisance or condition deemed to be detrimental to the public health exists, or causes the existence of such nuisance or condition elsewhere, fails to comply with any such order, enter upon the place or premises to remove or suppress such nuisance, condition or matter to which said order relates.
3. The expense of such removal and abatement shall be paid and may be collected in the manner prescribed in the Sections 1306 and 1307 of the Public Health Law.

Section 5. Unsanitary Buildings

1. Whenever any building or part thereof shall become unsanitary or any dwelling shall become unsanitary as to be unfit for human habitation or in the event occupancy of a building or dwelling shall cause an unsanitary condition on or adjacent to the premises thereof so as to constitute a nuisance, the inspections, investigations, notice to owners and others, the hearing and orders shall be performed as under the Nuisances Article of this Sanitary Code.
2. Upon failure of said owners to comply with said order, the Commissioner may issue a further order to be affixed conspicuously upon such building or dwelling and served upon the occupant or lessee thereof and upon the owner thereof or his agent requiring all persons to vacate such building or dwelling and to discontinue its use at such time as shall be stated in said order and until such time as the building or dwelling shall be placed in a sanitary habitable condition and the nuisance abated. Upon failure of such building or dwelling to be vacated within the time specified the Board of Health may issue a warrant to the Sheriff directing that such building or dwelling shall be vacated, and the Sheriff shall forthwith execute such warrant pursuant to law.

Section 6. Animal Waste

1. Animal or fowl excreta may be used on a farm as fertilizer on the farm where produced.
2. Animal or fowl excreta shall not be deposited, accumulated or piled within 50 feet of the residence or well of another property owner, nor in or within the same distance of any stream, watercourse, or body of water that borders or crosses another's property. Animal or fowl excreta shall not be deposited, accumulated or piled in any place or in any manner which would allow it to pollute any body of water, stream, intermittent stream, or watercourse.
3. Animal waste shall not be accumulated, piled or deposited in any manner which may create a nuisance detrimental to health.

ARTICLE XIV**Refuse Disposal Control****Section 1. Requirements**

The purpose of this Article is to protect public health and the environment by avoiding public health nuisances and public health hazards caused by refuse accumulation, collection and disposal.

1. Garbage shall be accumulated in closed, durable, non-absorbent watertight containers. The interior of reusable containers shall be kept clean by thorough washing and draining as needed.
2. On every premise there shall be adequate containers to accumulate refuse and so placed and maintained as to not create a nuisance.

ARTICLE XV**Air Pollution Control****Section 1. Open Fires**

1. No person shall burn any rubbish in any open fire except in conformity with the provisions of this Article.
2. No person shall burn, cause, suffer, allow or permit burning in an open fire of:
 - a. Garbage;
 - b. Rubbish, except:
 - (1) Rubbish resulting from residential activity, outside of a boundary of 1/8 mile of the periphery of any city or village,
 - (2) Rubbish resulting from farming activity,

- (3) Downed tree limbs and branches (also called brush) that are less than 6 inches in diameter and 8 feet in length, including branches with attached leaves; ONLY when in accordance with the burn ban dates.
3. The following types of open burning shall not be considered violations:
 - a. Fires in outdoor grills and outdoor fireplaces for the purpose of preparing food.
 - b. Campfires and fires used solely for recreation purposes. However, the burning of leaves and lawn and garden debris shall not be considered recreational burning.
 - c. Fire-training exercises sponsored by an agency or fire recognized by the Tioga County Department of Emergency Services.

ARTICLE XVI

Fees

Section 1. Fees Generally

1. In all cases where a fee has been established for a permit or registration by this Article said fee shall be paid to the County of Tioga upon submittal of an application for a permit, registration or operating certificate or renewal of a permit, registration or an operating certificate.
2. Those fees which are required by State Law, the State Sanitary Code, or any other State rule and regulation are not specifically included in this Article.
3. If a permit issued by the Department covers two or more operations for which a fee would be required singly, except as specifically stated in this Article the fee for such permit shall be the sum of the fees for all operations covered by said permit.

ARTICLE XVII

Severability

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this Sanitary Code shall be adjudged by any court or agency of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgement shall have been rendered.

ARTICLE XVIII

Effective Date

60 days after New York State Department of Health Office of Public Health Center for Environmental Health approved and filed with the Tioga County Clerk.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 301-24 APPROVE SOLE SOURCE PURCHASE
MOTOROLA SOLUTIONS
LICENSE PLATE RECOGNITION SYSTEM
SHERIFF'S OFFICE

WHEREAS: Legislative approval is required for all sole source purchases; and

WHEREAS: The Sheriff's Office would like to purchase a License Plate Recognition System in the amount of \$17,425, from a sole source provider, Motorola Solutions, which has been determined to be in the County's best interest; and

WHEREAS: There are sufficient funds available in the State Homeland Security 2022 Grant, Account A3361.520130.SHS22; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sheriff's Office to purchase a License Plate Recognition System, with Motorola Solutions, in the amount of \$17,425, which will be paid from Account A3361.520130.SHS22.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 302-24 APPROVE SOLE SOURCE PURCHASE
I AM RESPONDING
EMERGENCY NOTIFICATION PROGRAM
EMERGENCY MANAGEMENT

WHEREAS: Legislative approval is required for all sole source purchases; and

WHEREAS: The Director of Emergency Services would like to continue the renewal subscription for the I Am Responding emergency notification program and has received a quote in the amount of \$11,224, from a sole source provider, Emergency Services Marketing Corp., Inc. which has been determined to be in the County's best interest; and

WHEREAS: There are sufficient funds available in the State Homeland Security 2022 Grant, Account A3360.540140.SHS22; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Emergency Services to enter into an agreement with Emergency Services Marketing Corp., Inc., for the one-year subscription to the I Am Responding emergency notification program, in the amount of \$11,224, which will be paid from Account A3360.540140.SHS22.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 303-24 *SEEKING LEGISLATIVE APPROVAL TO BE ALLOWED
TO EXCEED THE TIOGA COUNTY FOOD &
BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Economic Development and Planning (TCEDP) Community Development Specialist is planning the Annual Talent Supply Table (TST) gathering event for the purpose of networking and sharing information on work-based learning best practices to Tioga County schools, businesses, and workforce partners; and

WHEREAS: The TST gathering will provide food, beverages, and supplies; and

WHEREAS: The TST gathering was held August 21, 2024 at Owego Free Academy; and

WHEREAS: Tioga County Policy Section III, Financial Rules, Subsection H, Purchase of Food and Beverage Policy limits the expense to \$150.00; and

WHEREAS: The food and beverage expense for the TST gathering will not exceed \$1,000.00; and

WHEREAS: Expenses for the TST gathering will be reimbursed by grant funds from the Appalachian Regional Commission; therefore be it

RESOLVED: That the Tioga County Legislature hereby allows the TCEDP Community Development Specialist to exceed the County policy for the Annual Talent Supply Table networking gathering and provide food and beverages not to exceed \$1,000.00.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 304-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in October, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

October 14-18, Onward Ops – Ft. Drum:	\$1200.00 (ETSSP Grant)
October 26, Veterans & Family Pancake Breakfast:	\$500.00 (ARPA Grant)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 305-24 *AUTHORIZE PURCHASE OF SPECIFIC EXCESS AND EMPLOYER'S LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: Midwest Employers Casualty Company, the company which provides the specific excess policy, is offering a two-year policy term option; and

WHEREAS: This two-year policy term option will lock in the premium rate for a two-year period along with the specific retention levels; and

WHEREAS: The premium would continue to be payable in annual installments; therefore be it

RESOLVED: That the Tioga County Legislature is authorized to accept the two-year policy option and purchase specific excess insurance through Midwest Employers Casualty Company, upon approval by the County Attorney, for the period of January 1, 2025 through December 31, 2026 to be paid for out of the 2025 and 2026 Tioga County Self-Insurance budget.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 306-24 *AUTHORIZE PURCHASE OF EMPLOYER'S LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's employer's liability insurance policy expires December 31, 2024; and

WHEREAS: The continuance of employer's liability insurance helps to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of employer's liability insurance, subject to review by the County Attorney, from an A- Rated or better insurance company for the period of January 1, 2025 through December 31, 2025 to be paid for out of the 2025 Tioga County Self-Insurance budget.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 307-24 *AUTHORIZATION TO ACCEPT JUUL SETTLEMENT FUNDS, AMEND BUDGET AND APPROPRIATE FUNDS PUBLIC HEALTH*

WHEREAS: Tioga County has been allocated funds from the Juul Settlement; and

WHEREAS: The intent and purpose of the funds are preventing youth and young adults from initiating vaping, supporting Community/school anti-vaping programs, cessation, enforcing vaping laws/regulations and surveillance; and

WHEREAS: Tioga County Public Health will receive these funds and lead the efforts of the County toward the purpose of the funding; and

WHEREAS: Authorization to accept funding, amending budget and appropriating said funds requires Legislative approval; and

WHEREAS: The amount of the funding is \$323,674.26; and

WHEREAS: There will be no additional County cost for receiving these funds (i.e. cash match); therefore be it

RESOLVED: That Tioga County Public Health is authorized to accept the Juul Settlement funds for Tioga County; and be it further

RESOLVED: That budget be amended and funds appropriated as follows:

From:

A4053 434011-JUUL State Aid: Primary & Preventative \$323,674.26

To:

A4053 540487-JUUL Program Expense \$ 323,674.26

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$323,674.26 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 308-24

*RESOLUTION TO APPROVE A GRANT AWARD
FROM NYS DIVISION OF CRIMINAL JUSTICE
FOR COUNTY PRE-TRIAL SERVICES*

WHEREAS: The Probation Department received a Grant Award from the New York State Division of Criminal Justice Services for the County Pre-Trial Services in the amount of \$60,000; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2024 Budget be modified and funds be appropriated to the following accounts:

FROM:	A3140.433100 CPS01 State Aid-Probation Pretrial Grant	\$60,000
TO:	A3140.520060 CPS01 Car/Truck	\$45,000
	A3140.540487 CPS01 Program Expenses	\$15,000

And be it further

RESOLVED: That appropriations be re-established for the remaining unspent balance as of 12/31/24 and carried forward into the New Year until projects are completed.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 309-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Resolution No. 219-24 amended the budget and appropriated funding for the Tioga County Public Health's Creating Healthy Schools and Communities (CHSC) program; and

WHEREAS: Tioga County Public Health has been awarded an additional amount of funding toward this program; and

WHEREAS: Similar to the initial award, the funding will pass through Broome County to Tioga County Public Health; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From:			
A4053 422800-CHSC	Health Services-Other Gov		\$ 11,400
To:			
A4053 540640-CHSC	Supplies (Not Office)		\$ 11,400

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$11,400 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 310-24 *APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
SOCIAL SERVICES*

WHEREAS: Tioga County Department of Social Services has budgeted 2024 A6055 Day Care expenses based on historical trends; and

WHEREAS: 2024 A6055 Day Care expenses will exceed the budgeted amount due to State policy and eligibility changes; and

WHEREAS: Day Care expenses receive 100% reimbursement from the NYS Child Care Block Grant; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6055.436550 State Aid - Day Care	\$ 350,000
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To: A6055.540487 Day Care Program Expense	\$ 350,000
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ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 311-24 *CREATE ONE (1) FULL-TIME PUBLIC HEALTH
EMERGENCY PREPAREDNESS COORDINATOR
PUBLIC HEALTH*

WHEREAS: Legislative approval is required to create and fill a new position; and

WHEREAS: The Public Health Director has determined there is need to create a Management/Confidential (M/C) position of Public Health Emergency Preparedness Coordinator; and

WHEREAS: The Public Health Director has worked in conjunction with the Personnel Office in creating the position description and to determine the appropriate classification for said title; therefore be it

RESOLVED: That one (1) full-time M/C position of Public Health Emergency Preparedness Coordinator (M/C \$51,924 – \$61,924) be created effective September 23, 2024.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 312-24 *AUTHORIZE APPOINTMENT OF
DEPUTY DIRECTOR OF EMERGENCY SERVICES
EMERGENCY MANAGEMENT*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Deputy Director of Emergency Services position has been vacant since February 12, 2024; and

WHEREAS: A qualified candidate has been interviewed and selected; therefore be it

RESOLVED: That William Ellis be provisionally appointed to the title of Deputy Director of Emergency Services at an annual Management/Confidential salary of \$62,700 effective September 23, 2024, pending successful completion of civil service examination requirements; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mr. Ellis shall be eligible for any authorized 2025 Management/Confidential salary increase effective March 23, 2025, following a successful six-month evaluation.

Legislator Flesher spoke. "I just want everyone to know that Director of Emergency Services Corinne Cornelius did an incredible job through this process. She handled it very professionally and she looked at quite a few candidates before coming to this decision. It is great that she is going to have some help. She did a wonderful job, as she does with everything."

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth three (3) late-file resolutions for Legislature consideration, seconded by Legislator Brown. Motion carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 313-24 *REQUEST AND TRANSFER OF
CONTINGENCY FUNDS & MODIFY 2024 BUDGET
ASSIGNED COUNSEL*

WHEREAS: The Assigned Counsel program has experienced a significant increase in the caseload of court matters including the High Profile Criminal Cases in 2024 along with the effects of the NYS Rate Increase; and

WHEREAS: Contingency Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account, & Modify Assigned Counsel 2024 Budget to accommodate the increase in court caseload for 2024; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990.540715	Contingency Transfer	\$ 80,000
To: A1172.540030	Assigned Counsel	\$ 80,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 314-24 *AUTHORIZE NYCLASS MUNICIPAL COOPERATION
AGREEMENT AND PARTICIPATION*

WHEREAS: New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to

include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis; and

WHEREAS: Tioga County wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of August 1, 2023; and

WHEREAS: Tioga County wishes to satisfy the safety and liquidity needs of their funds; therefore be it

RESOLVED: That the Treasurer's Office of Tioga County is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of August 1, 2023.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 315-24 *AUTHORIZE SALE OF COUNTY OWNED PROPERTIES ACQUIRED FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties that it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; therefore be it

RESOLVED: That the following properties be sold at a public auction conducted by Manasse Auctioneers.

Village of Waverly166.15-3-54; Bowman Barbara166.14-2-3; Gowan Peter166.16-2-19; Moore Donald166.16-2-3; Trent Rachel M166.19-3-6; Woodruff Leroy C & Woodruff JaneTown of Barton123.00-2-9; Acorn David L157.07-1-17; GS Irrev. Income Only Trust157.07-1-18; GS Irrev. Income Only Trust111.00-1-14.30; Weisfelt SusanVillage of Candor61.13-1-17.20; Herman Frank HTown of Candor60.00-1-17.20; Detar-Fuller Nina A40.00-1-3.20; Gehres Jeff & Gehres, Shirley60.00-1-52.20; Herman Frank H27.03-1-30.30; Marlowe Victoria49.00-1-64; Sartori Joseph & Sartori Judy61.00-1-58; Sartori Joseph & Sartori JudyVillage of Newark Valley64.19-2-11, Worden Margaret & Worden RichardTown of Newark Valley64.00-2-11.20; Forestier Emanuel53.00-1-53; Rosenberger Mary E & Rosenberger John53.00-1-54; Rosenberger Mary E & Rosenberger JohnVillage of Nichols159.19-1-20; Arnold Ray JVillage of Owego128.08-3-12; Forestier Emanuel129.05-3-19; Milster Phyllis128.08-3-92; Mule Richard P

Town of Owego175.00-1-50; Cafferty Kenneth J153.05-1-12.112; Heenan Debra M & Evans James L129.00-3-44; Owego Holdings 2021 LLC142.18-1-37; Mclain/Spicer, Rita & Spicer, Herbert153.06-1-1; Swawalo Douglas143.13-1-20; Walsh Realty LLCTown of Richford11.18-1-39; Werner Joseph JTown of Spencer59.00-1-50; Caslin Gary80.00-1-28; GS Irrev. Income Only Trust92.00-1-5; GS Irrevocable Income Only Trust69.-02-29.3; Karpel Joseph46.00-1-16; West William CTown of Tioga148.08-1-2; Collins Sean P159.00-3-25; Holt/Wiggins Sevey Penny

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:20 p.m.

Second Special Meeting
September 19, 2024

The Second Special Meeting of 2024 was held on September 19, 2024 and was called to order by the Chair at 10:02 a.m. Legislators Brown, Ciotoli, Monell, Roberts, Sauerbrey, and Standinger were present with Legislators Flesher and Mullen being absent.

Chair Sauerbrey asked for a moment of prayer. "Heavenly Father, we thank you for the opportunity to represent the people of this County. We ask that you guide us and direct us in the way we should go in the best interest of our citizens. We continue to pray for peace."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 7 people in attendance.

County Clerk Klett spoke. "We have a young lady that works in the Department of Motor Vehicles who will reach her one-year anniversary on November 6, 2024. She will be on maternity leave on or before October 20, 2024 and with less than a year of employment, she has very little time accumulated, so we would like to give her some time. We are very much interested in retaining this young lady. She is excellent with the customers, and she is quickly learning the job. I am asking that she be allowed to accept donated time being offered."

Legislative Clerk Haskell spoke. "Historically, the Legislature has approved this type of request numerous times for a variety of reasons by way of resolution."

Legislator Standinger spoke. "I think this is a good way to reward good conduct in a situation that would be very difficult to overcome otherwise. So, I am certainly in favor of this resolution."

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 316-24 *AUTHORIZE DONATION OF TIME
MOTOR VEHICLE BUREAU*

WHEREAS: Hannah Olmstead, Motor Vehicle License Clerk in the Owego DMV Office, will be on maternity leave as of October 20, 2024, perhaps sooner if her doctor so decides; and

WHEREAS: The County Clerk is invested in employee retention and is in support of this employee being approved to receive donated time while out on maternity leave; and

WHEREAS: Tioga County employees are willing to donate a total of 16 days of vacation time and 4 days of compensatory time to this employee for her use; therefore be it

RESOLVED: That Hannah Olmstead shall be required to liquidate all her accrued Sick and Vacation time, but then shall have access to the 16 days of vacation and 4 days of compensatory time made available to her through employee donations.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Brown, Ciotoli, Monell, and Roberts.

No – None.

Absent – Legislators Flesher and Mullen.

RESOLUTION ADOPTED.

Deputy Treasurer Chandler spoke. “Two solar companies took their assessment to the Supreme Court to petition for a lower assessment and the Supreme Court ordered that the assessment be lowered. We do have solar PILOTs for these companies for their Town and County taxes, but as with all PILOTs they still must pay 100% of the fire tax. So, this order only affects the fire tax that they paid. The Town and County portion is based on wattage where the fire tax is based on the assessment. The County will pay them and then proceed with an erroneous assessment for the 2025 bill. We will add it to what the fire district is already taxing to recoup the cost through the 2025 bill payments.

Chair Sauerbrey spoke. “Will there be other PILOTs that will come back like this because of the fire tax?”

Deputy Treasurer Chandler spoke. “Currently, these two companies are the only ones known at this time that have a court order.”

Legislator Monell spoke. “So, this doesn't affect us as a County, it is affecting the Town of Tioga?”

Deputy Treasurer Chandler spoke. “The County will pay it and then it will be divided amongst the Town of Tioga taxpayers next year.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -24 SUPREME COURT ORDER
TOWN OF TIOGA

WHEREAS: The Supreme Court of the State of New York has rendered an order in the matter of NY TIOGA I, LLC and NY TIOGA II, LLC v. Denise Spaulding, Sole Assessor, Town of Tioga, Tioga County, New York, and filed a Consent Order indicating a reduction of assessment on August 19, 2024; and

WHEREAS: The petitioner's attorney, Walter F. Garigliano, P.C., filed a Demand for Refund on August 29, 2024; and

WHEREAS: The Consent Order reduces the assessment of the NY TIOGA I, LLC parcel 117.00-1-80.12-1 and NY TIOGA II, LLC parcel 117.00-1-80.12-2 on the final assessment rolls of 2023 and 2024; and

WHEREAS: The Assessor, Town and Treasurer of Tioga County shall make the changes necessary to the proper books and records and assessment rolls to conform said assessment for the years 2023 and 2024 to such amended and reduced values; and

WHEREAS: The 2024 tax bills, based on the 2023 final assessment roll, were paid to the Town of Tioga for both subject properties, and the order stipulates a refund shall be issued according to the reduced assessment; and

WHEREAS: The 2025 tax bills, based on the 2024 final assessment roll, have not been issued yet, and the order stipulates the tax bills shall be generated according to the reduced assessment; therefore be it

RESOLVED: That the new assessment for the 2023 final assessment roll/2024 Town and County taxes for NY TIOGA I, LLC be \$55,739 and for NY TIOGA II, LLC be \$23,329; and be it further

RESOLVED: That the new assessment for the 2024 final assessment roll/2025 Town and County taxes for NY TIOGA I, LLC be \$70,015 and for NY TIOGA II, LLC be \$20,957; and be it further

RESOLVED: That a refund be issued to NY TIOGA I, LLC and NY TIOGA II, LLC for the 2024 Town and County tax bill and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's office; and be it further

RESOLVED: That the 2025 Town and County tax bills be generated according to the reduced assessment.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Ciotoli.

No – Legislators Monell, Roberts, and Brown.

Absent – Legislators Flesher and Mullen.

RESOLUTION FAILED.

Meeting was adjourned at 10:11 a.m.

Tenth Regular Meeting
October 15, 2024

The Tenth Regular Meeting of 2024 was held on October 15, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked Legislator Standingger to have a moment of prayer. "Lord, we ask for guidance as we conduct the business of Tioga County. We pray for those that are affected by the recent hurricanes they recover quickly."

Legislator Standingger led all Legislators and those in attendance in the Pledge of Allegiance.

There were 34 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

Legislator Flesher read and presented the following resolution to Shawn Kemmery, Sheriff's Office.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 317-24	<i>RESOLUTION RECOGNIZING SHAWN KEMMERY'S 27 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: Shawn Kemmery was appointed as a Part-Time Corrections Officer on 7/30/97; appointed as a Full-Time Corrections Officer on 10/5/98; appointed as a Corrections Sergeant on 1/12/01 and appointed to his current position as Deputy Sheriff on 7/31/04; and

WHEREAS: Shawn Kemmery has been dedicated and loyal in the performance of his duties and responsibilities during the 27 years of service to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Shawn Kemmery will retire from the Tioga County Sheriff's Office on October 31, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Shawn Kemmery for 27 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Shawn Kemmery.

ROLL CALL VOTE

Unanimously Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Flesher spoke. "This is special for me because I have known Shawn for a lot of years. We worked together and I am going to be sad to see you go. He helped us out at the Town of Berkshire for court security and some other things, but it is really special when you actually know somebody and you're able to say thanks for everything you did for the County and good luck in your new adventures in retirement. Well-deserved. Congratulations."

Shawn Kemmery spoke. "First, I want to thank my wife, Katrina. She has been my support throughout my career. It has not always been easy, but we got through it because of her. Sheriff, thank you for all the opportunities throughout my career and to my co-workers for putting up with me. It's not always easy, but I appreciate everyone, and you are all family to me. Thank you."

Sheriff Howard spoke. "The resolution gives you the overall, but I want to tell you about the real Shawn and what he does for us at the office. He takes care of all our training records for the law enforcement side of the house, which is a huge task. He makes sure everyone has their files up to date on their training and he also coordinates their training so when a Lieutenant or Captain says one of the deputies is going to training, he arranges their lodging, vehicles, etc. Shawn also takes care of accreditation files, as we are accredited. This is a huge thing for our office. This is almost a daily thing that he has to keep up with which incorporates all of the training, etc. Every five years, the Sheriff's Office is accredited. The accreditors come and go through our office, and everything is set. We have been accredited because

of Shawn. It is a lot of work. Shawn works road patrol as a Deputy when needed. He is Officer in Charge (OIC) on the road if we need him. He has worked a lot of weekends being the OIC. Shawn takes care of all our new hires and gets them registered with the State and their insurance in the County. He does a lot of transports for us; local or long-distance. He has been to some places that nobody else wants to go, but he always raises his hand. He will sit at the hospital on inmate duty. These are things up and beyond what is in the resolution. He is also the backup for our Compliance Officer, which he works a lot with our Criminal Investigation Division. He schedules all the services for our vehicles. He is also in charge of the Interlock System (DWI). There are a lot of things behind the scenes that he does for everybody. There is not a person here who he hasn't helped out.

"Now, the biggest thing he does and the most important thing he does is being the lunch coordinator. If I go to one of the guys and ask where they are going to lunch, they say they do not know because they haven't talked with Shawn. Shawn says where we are going, what time, and how much it is going to cost.

Congratulations and good luck on your new adventures."

Chair Sauerbrey reported we have one Proclamation; **Lead Poisoning Prevention Week** that will be noted for the minutes.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Lead poisoning is a serious, permanent condition that can lead to lifelong health problems including developmental delays, behavioral issues, and difficulty learning; and

WHEREAS: Lead poisoned children have increased medical costs, educational needs and increased risk for criminal behavior as adults; and

WHEREAS: The goal of New York State's Healthy People 2030 is to reduce blood lead levels in children; and

WHEREAS: New York State Public Health Law states that all children must be tested for lead at age one and again at age two to identify lead poisoned children; and

WHEREAS: Tioga County Public Health works with medical providers and parents to advocate for child lead testing to reduce the risk of exposure to lead in the home; and

WHEREAS: Between 2020-2023 Tioga County Public Health provided case management and environmental health services to over 50 children with elevated blood lead levels; and

WHEREAS: Lead poisoning can be prevented by knowing and eliminating all possible sources of lead children may have access to; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of October 20 - 26, 2024, as

LEAD POISONING PREVENTION WEEK

and urges all residents to take steps to educate themselves and their families about the importance of lead poisoning prevention.

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of September 12 and 19, 2024, seconded by Legislator Mullen and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger introduced Local Law Introductory No. B of 2024.

Local Law Filing	New York State Department of State 41 State Street, Albany, NY 12231
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County of Tioga

Local Law No. X of the Year 2024

A Local Law Amending Local Law No. 1 of 1988 establishing a Schedule of Fees for permits issued by the Tioga County Department of Health as amended by Local Law No. 1 of 1990, as amended by Local Law No. 3 of 1991, as amended by Local Law No. 8 of 1995 and as amended by Local Law No. 3 of 2002.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: FOOD SERVICE

Section 2, (I)(A)(1-4) Food Service is hereby amended to read as follows:

1. Low Risk	\$135.00
2. Medium Risk	\$200.00
3. High Risk	\$215.00
4. Catering & Commissaries ONLY	\$200.00
Add on to existing permit	\$ 50.00
5. Temporary Food:	
1 Day	\$ 50.00
2-14 Days	\$ 80.00
*Non-Profit	0 to 50% of fee
6. Vending Machine Site	\$175.00
Per Machine	\$ 10.00/Machine
7. Frozen Dessert Machine	\$ 25.00/Machine
8. Plan Review	\$150.00 + Engineer fee if applicable
9. Expedited Fee (Permit application received within 2 weeks of event)	\$ 25.00 - If able to complete

SECTION 2: MOBILE HOME PARKS

Section 2 (I)(D)(1-2) Mobile Home Parks is hereby amended to read as follows:

1. 5-25 sites	\$150.00
2. 26-74 sites	\$280.00
3. 75 + sites	\$450.00
4. Plan Review	\$ 40.00 per site + Engineer fee if applicable

SECTION 3: TEMPORARY RESIDENCES

Section 2, (I)(B)(1-3) Temporary Residences is hereby amended to read as follows:

Hotels/Motels/Cabin Colonies:

- | | |
|----------------|---|
| 1. 5-25 rooms | \$150.00 |
| 2. 26-74 rooms | \$275.00 |
| 3. 75 + rooms | \$400.00 |
| 4. Plan Review | \$ 40.00 per room + Engineer
fee if applicable |

SECTION 4: CAMPGROUND AND TRAVEL TRAILER PARKS

Section 2, (I)(C)(1-2) Campground and Travel Trailer Parks is hereby amended to read as follows:

- | | |
|----------------|--|
| 1. 5-49 sites | \$150.00 |
| 2. 50+ sites | \$200.00 |
| 3. Plan Review | \$40.00 per site + Engineer
fee if applicable |

SECTION 5: SWIMMING POOLS, BATHING BEACHES, SPAS, AND SPRAY GROUNDS

Swimming Pools, Bathing Beaches, Spas and Spray Grounds is hereby amended to read as follows:

- | | |
|--|------------------------------|
| 1. Swimming Pool/Bathing Beach /
Spa/ Spray Ground | \$200.00 for first |
| 2. More than 1 Pool/ Bathing
Beach/ Spa/ Spray Ground | \$150.00/each additional |
| 3. Plan Review | \$100.00/each + Engineer fee |

SECTION 6: SEPTIC/SEWAGE SYSTEM FEES

Septic/Sewage System Fees is hereby amended to read as follows:

- | | |
|--------------------------------------|-------------------------|
| 1. New Install/Replacement System | \$400.00 + Engineer fee |
| 2. Repair or Extension | \$150.00 + Engineer fee |
| 3. Plan Review: | |
| Individual Sewage Conventional | \$175.00 + Engineer fee |
| Individual Sewage Alternative Design | \$150.00 + Engineer fee |

SECTION 7: WATER FEES

Water fees are hereby amended to read as follows:

- | | |
|-------------------------------------|-------------------------|
| 1. Individual Water Supply Permit | \$60.00 |
| 2. Annual Surveillance Water Sample | \$60.00 |
| 3. Annual Public Water User Fee | |
| Community less than 1,000 | \$150.00 |
| Community 1,000 or greater | \$300.00 |
| Non-Community | \$125.00 |
| Bottled, Bulk, Ice, Dispensary | \$150.00 |
| 4. Plan Review: Water Community | |
| Source/Treatment | \$ 75.00 + Engineer fee |
| Distribution | \$ 75.00 + Engineer fee |
| 5. Plan Review: Non-Community | \$200.00 + Engineer fee |

SECTION 8: RECORDS SEARCH/REQUESTS

Records Search/Requests are hereby amended to read as follows:

- | | |
|------------------------------------|-------------------|
| 1. FOIL Requests | \$ 0.25 per page |
| 2. Environmental Audit Requests | \$100.00 per hour |
| 3. Hazardous Material Site Request | \$100.00 per hour |
| 4. Rabies Records Search | \$ 6.00 per copy |

SECTION 9: MISCELLANEOUS FEES

Miscellaneous Fees are hereby amended to read as follows:

- | | |
|---|--|
| 1. Mass Gathering (>5,000 people) | |
| Under 25,000 people | \$ 25,000.00 |
| 25,000-50,000 people | \$ 50,000.00 |
| Over 50,000 people | \$100,000.00 |
| Plan Review | \$ 1,000.00 + Engineer fee |
| 2. Agricultural Fairgrounds | \$ 225.00 + Engineer fee if applicable |
| 3. Children's Camps | \$ 275.00 + Engineer fee if applicable |
| 4. Tanning | New York State Established Rate |
| 5. Migrant/Farmworker Camp | \$ 200.00 + Engineer fee if applicable |
| 6. Plan Review-Realty Subdivision | \$ 125.00 + Engineer fee |
| 7. Petroleum Product Spill Registration | \$ 100.00 per hour |
| 8. Lead Investigation Fee | \$ 100.00 per hour |

SECTION 10: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any court or agency of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 11: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State but not before January 1, 2025.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 318-24 SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY NO. B OF 2024

RESOLVED: That a Public Hearing shall be held on Thursday, October 24, 2024 at 10:05 A.M. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY 13827 on Local Introductory No. B of 2024, a Local Law establishing a revised Environmental Health Fee Schedule as approved by the Tioga County Board of Health to be effective on January 1, 2025. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 319-24 SET PUBLIC HEARING
2025 BUDGET

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2025 be held at 10:00 A.M., Tuesday, November 12, 2024, in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 320-24 SCHEDULE PUBLIC HEARING FOR
NEW YORK STATE COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) FOR NEIGHBORHOOD
DEPOT

WHEREAS: The Tioga County Legislature authorized the CDBG-CV CARES grant application to NYS Office of Community Renewal for the Neighbor Depot Nonprofit Hub in the amount of \$3,000,000 via Resolution No. 93-22; and

WHEREAS: NYS Office of Community Renewal announced said grant award to Tioga County on June 24, 2022; and

WHEREAS: The Tioga County Legislature accepted said CDBG-CV CARES grant award via Resolution No. 213-22; and

WHEREAS: The grant funds have been fully expended and the project is nearing completion; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing at the end of the grant to solicit comments on the effectiveness of the program's administration; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regard to the current Community Development Block Grant project in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, October 24, 2024, at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:	AGRICULTURE COMMITTEE
RESOLUTION NO. 321-24	APPOINT MEMBER TO THE TIOGA COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

WHEREAS: The Land Preservation Organization position on the Agricultural & Farmland Protection Board has been vacant since John Lacey resigned from the Board in April of this year; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling said position and the Tioga County Farm Bureau has found Kevin (Cub) Frisbie is willing and able to serve in this capacity; and

WHEREAS: Tioga County has traditionally used Tioga County Farm Bureau as the Land Preservation Organization for this Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Kevin (Cub) Frisbie to the Agricultural and Farmland Protection Board as the Land Preservation

Organization representative and fulfilling John Lacey's unexpired term of 1/1/2023 – 12/31/2026.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 322-24 *APPOINT DIRECTOR AT LARGE
SOIL & WATER CONSERVATION DISTRICT*

WHEREAS: A Director at Large vacancy exists on the Tioga County Soil & Water Conservation District Board due to the recent resignation of Eileen Selnekovic; and

WHEREAS: The Tioga County Soil & Water Conservation District has found a candidate who is willing and able to fill this vacancy for the unexpired term of January 1, 2024 – December 31, 2026; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Debra Standinger as the Director at Large to the Tioga County Soil & Water Conservation District Board to fill the remainder of Eileen Selnekovic's unexpired term of January 1, 2024 – December 31, 2026, effective October 16, 2024.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Abstention: Legislator Standinger

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE
RESOLUTION NO. 323-24 SUPREME COURT ORDER
TOWN OF TIOGA

WHEREAS: The Supreme Court of the State of New York has rendered an order in the matter of NY Tioga I, LLC and NY Tioga II, LLC v. Denise Spaulding, Sole Assessor, Town of Tioga, Tioga County, New York, and filed a Consent Order indicating a reduction of assessment on August 19, 2024; and

WHEREAS: The petitioner's attorney, Walter F. Garigliano, P.C., filed a Demand for Refund on August 29, 2024; and

WHEREAS: The Consent Order reduces the assessment of the NY TIOGA I, LLC parcel 117.00-1-80.12-1 and NY TIOGA II, LLC parcel 117.00-1-80.12-2 on the final assessment rolls of 2023 and 2024; and

WHEREAS: The Assessor, Town and Treasurer of Tioga County shall make the changes necessary to the proper books and records and assessment rolls to conform said assessment for the years 2023 and 2024 to such amended and reduced values; and

WHEREAS: The 2024 tax bills, based on the 2023 final assessment roll, were paid to the Town of Tioga for both subject properties, and the order stipulates a refund shall be issued according to the reduced assessment; and

WHEREAS: The 2025 tax bills, based on the 2024 final assessment roll, have not been issued yet, and the order stipulates the tax bills shall be generated according to the reduced assessment; therefore be it

RESOLVED: That the new assessment for the 2023 final assessment roll/2024 Town and County taxes for NY TIOGA I, LLC be \$55,739 and for NY TIOGA II, LLC be \$23,329; and be it further

RESOLVED: That the new assessment for the 2024 final assessment roll/2025 Town and County taxes for NY TIOGA I, LLC be \$70,015 and for NY TIOGA II, LLC be \$20,957; and be it further

RESOLVED: That a refund be issued to NY TIOGA I, LLC and NY TIOGA II, LLC for the 2024 Town and County tax bill and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's office; and be it further

RESOLVED: That the 2025 Town and County tax bills be generated according to the reduced assessment.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Mullen, Roberts, and Sauerbrey.

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 324-24 *AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH TARGET CONCERNING CLAIMS RELATED TO THE OPIOID CRISIS*

WHEREAS: Tioga County has joined in a legal action seeking compensation from those who are responsible for causing and perpetuating the opioid addiction crisis (the “Action”); and

WHEREAS: The Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS: The Action alleges several causes of action against defendant Target based on claims that Target contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various “front groups” and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in New York; and

WHEREAS: Target has offered to settle the claims against it by entering into a national settlement and paying a sum to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS: The final amount to be received by Tioga County will vary depending on several factors including the number of Plaintiff's ultimately agreeing to enter into the settlement but will have an approximate value to Tioga of \$70,234.04 (USD); and

WHEREAS: It is in the best interest of Tioga County to resolve this matter with respect to Target without further litigation and enter into an agreement to settle all allegations against Target and avoid protracted litigation; therefore be it

RESOLVED: That Tioga County is authorized to participate in the proposed settlement with Target and Tioga County Chair of the Legislature, Martha Sauerbrey, is authorized to execute such forms and agreements, as approved by the County Attorney to compromise the claim the Defendants Target and distribute the proceeds between the participating Plaintiffs.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 325-24 *AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH HENRY SCHEIN CONCERNING CLAIMS RELATED TO THE OPIOID CRISIS*

WHEREAS: Tioga County has joined in a legal action seeking compensation from those who are responsible for causing and perpetuating the opioid addiction crisis (the "Action"); and

WHEREAS: The Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS: The Action alleges several causes of action against defendant Henry Schein based on claims that Henry Schein contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various "front groups" and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in New York; and

WHEREAS: Henry Schein has offered to settle the claims against it by entering into a national settlement and paying a sum to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS: The final amount to be received by Tioga County will vary depending on several factors including the number of Plaintiff's ultimately agreeing to enter into the settlement but will have an approximate value to Tioga of \$4,515.05 (USD); and

WHEREAS: It is in the best interest of Tioga County to resolve this matter with respect to Henry Schein without further litigation and enter into an agreement to settle all allegations against Henry Schein and avoid protracted litigation; therefore be it

RESOLVED: That Tioga County is authorized to participate in the proposed settlement with Henry Schein and Tioga County Chair of the Legislature, Martha Sauerbrey, is authorized to execute such forms and agreements, as approved by the County Attorney to compromise the claim the Defendants Henry Schein and distribute the proceeds between the participating Plaintiffs.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 326-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON
MEMO OF UNDERSTANDING WITH TIOGA COUNTY
CORNELL COOPERATIVE EXTENSION*

WHEREAS: The Tioga County Cornell Cooperative Extension (TCCCE) is willing to hold the first annual Pumpkin Smash Event in partnership with Tioga County Sustainability at their Hilltop Farm; and

WHEREAS: A Pumpkin Smash is an effort by a community to divert pumpkins from landfills by providing locations for residents to drop-off jack-o-lanterns to be composted; and

WHEREAS: Tioga County Sustainability will be providing PPE such as caution tape, tarps, gloves, safety goggles & face shields, and safety vests; therefore be it

RESOLVED: That Tioga County and Tioga County Cornell Cooperative Extension are desirous of having a Memo of Understanding with regard to this event; and be it further

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Memo of Understanding between the Tioga County Cornell Cooperative Extension and Tioga County.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ITCS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 327-24 *AUTHORIZATION FOR TWO DARK FIBER CIRCUITS BETWEEN THE COUNTY OFFICE BUILDING AND PUBLIC SAFETY AND HEALTH AND HUMAN SERVICES BUILDINGS*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The current network configuration creates a single point of failure impacting several County locations, including the Tioga County Public Safety building and the Tioga County Health and Human Services building; and

WHEREAS: An outage impacting these buildings would interrupt critical Public Safety services including the ability for the County 911 Dispatch center to operate effectively; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have completed an extensive evaluation of available options; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS are recommending a to hire Southern Tier Network to build a dark fiber circuit between the Tioga County Office building located at 56 Main Street, Owego, NY 13827 and the Tioga County Health and Human Services building located at 1062 NY-38, Owego, NY 13827 with an initial build-out cost of \$4,908 and a monthly service lease of \$275; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS are recommending to hire Southern Tier Network to build a dark fiber circuit between the Tioga County Office building located at 56 Main Street, Owego, NY 13827 and the Tioga County Public Safety building located at 103 Corporate Drive, Owego, NY 13827 with an initial build-out cost of \$5,364 and a monthly service lease of \$275; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute the Statements of Work between Tioga County, NY and Southern Tier Network for two dark fiber circuits at a cost \$550 per month and \$10,272 installation cost; and be it further

RESOLVED: That the installation cost of \$10,272 will be paid out of the Capital Fund IT Budget and appropriated from account **H1680 521090 Computer**; and be it further

RESOLVED: That the monthly maintenance cost of \$550 per month will be paid out of the General Fund ITCS budget and appropriated from the following account **A1680 540660 Telephone**; and be it further

RESOLVED: That any unspent and unappropriated 2024 Capital ITCS Hardware and/or Software funds will be carried forward into the 2025 Capital ITCS Budget at yearend 2024 at the Treasurer's Departments discretion, and the 2025 Capital Hardware and/or Software funds are to be spent prior to Capital Hardware Reserve utilization at year end 2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 328-24 *AUTHORIZE CONTRACT WITH EXCELLUS HEALTH PLAN (EHP) FOR RETIREE MEDICARE ADVANTAGE PLAN/MEDICARE PART D PRESCRIPTION DRUG COVERAGE THROUGH BROOME COUNTY PURCHASING ALLIANCE (BCPA)*

WHEREAS: Resolution No. 119-21 authorized Tioga County to participate in the Broome County Purchasing Alliance (BCPA). Request for Proposals seeking a contract for Medicare Advantage and Prescription Drug Benefit Services for Medicare-eligible retirees and their eligible spouses was conducted; and

WHEREAS: Broome County has reviewed and evaluated all of the proposals and selected Excellus Health Plan (EHP) as the carrier to provide the retiree Medicare coverage; and

WHEREAS: The EHP prescription co-pays in Plan 1 are \$0 for generic, \$5 for preferred brand, \$20 for non-preferred brand, and \$20 for specialty tier for 30-day supply; and

WHEREAS: The EHP Plan 1 does allow for 90-day prescriptions for one co-pay through mail order; and

WHEREAS: The EHP pharmacy network is all major pharmacy chains similar to our current plan's pharmacy network; and

WHEREAS: EHP is able to offer a three-year rate guarantee, with a rate cap in years 2 and 3 not to exceed 3-7.5% through the BCPA; therefore be it

RESOLVED: That the Tioga County Legislature wishes to change Tioga County Medicare eligible retirees' and eligible spouses' coverage to EHP Plan 1 effective January 1, 2025; and be it further

RESOLVED: That Tioga County is authorized to execute the necessary steps to change retirees' coverage to EHP Plan 1 as of January 1, 2025; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Health Plan, subject to review by the County Attorney, electing Plan 1 Medicare Advantage and Medicare Part D Prescription Drug Benefits for Tioga County Medicare eligible retirees and their eligible spouses for the period of January 1, 2025 through December 31, 2027.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 329-24 *AUTHORIZE 2024-2025 CONTRACTS WITH
SADD SCHOOL ASSOCIATES
STOP DWI*

WHEREAS: It is the desire of the STOP DWI Program to arrange five contracts with SADD School Associates which are defined as independent contractors not entitled to county employee benefits; and

WHEREAS: It is the desire to contract with the following five SADD School Associates for the school year 2024-2025; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Cynthia Tebo to serve the Owego Apalachin School District; Michelle Varner to serve the Spencer Van Etten School District, and; Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2024-2025 school year.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: FINANCE/LEGAL & SAFETY COMMITTEE
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 330-24 *AUTHORIZE CONTRACT WITH LEXIS NEXIS
PUBLIC SAFETY*

WHEREAS: The Sheriff's Office has a need to enter into a 3-year contract with LexisNexis for the Jail Law Library at an amount not to exceed \$17,964 during this period; and

WHEREAS: The County Attorney has reviewed and approved this contract; and

WHEREAS: Legislative approval is needed to be in compliance with County purchasing policies; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to contract with LexisNexis, for the Jail Law Library for a three-year period, at an amount not to exceed \$17,964.

Legislator Standinger spoke. "I find it interesting that we have to provide a service like this to inmates that are incarcerated, but apparently, we are obligated to do so. Although I will vote yes, I am not really enamored with that fact."

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 331-24 *AUTHORIZATION TO CONTRACT WITH
PRACADEMIC PARTNERS FOR LEADERSHIP AND
EXECUTIVE COACHING SERVICES*

WHEREAS: Tioga County is committed to providing professional development resources and opportunities to its employees and department heads; and

WHEREAS: The County Administrator has recommended contracting with Dr. Ian Coyle of Pracademic Partners to provide executive coaching and leadership training as part of this commitment; and

WHEREAS: There are sufficient funds contained in the adopted 2024 County Administrator budget to cover the costs of the proposed contract; therefore be it

RESOLVED: That the Legislative Chair or their designee is hereby authorized to execute a 6-month contract with Pracademic Partners for a term of November 1st, 2024, through April 30th, 2025, not to exceed \$7,500.00, paid from Account A1230 540140 Contracting Services as billed, for executive coaching and leadership training upon review and approval as to form by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 332-24 *AUTHORIZE CONTRACT WITH ASPIREHOPENY TO
ADMINISTER PARENT SUPPORT SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of AspireHopeNY, Inc. for the purpose of administering Parent Support Services in Tioga County; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: AspireHopeNY, Inc. has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal: therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a renewal contract with AspireHopeNY, Inc. for \$66,514 plus any additional state aid received, for the continuation of Parent Support Services in Tioga County for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 333-24 *AUTHORIZE CONTRACT WITH TRINITY TO ADMINISTER PREVENTION AND JAIL SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of Council on Alcohol and Substance Abuses of Livingston County, d.b.a. Trinity for the purpose of Alcohol and Substance Abuse Prevention in Tioga County and in the Tioga County Jail; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents and Tioga County Jail inmates; and

WHEREAS: Trinity has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into renewal contracts with Trinity, for \$280,573 plus any additional state aid received, for the continuation of Alcohol and Substance Abuse Prevention in the community as well as the Tioga County Jail for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 334-24 *AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES TO ADMINISTER ONGOING INTEGRATED SUPPORTED EMPLOYMENT SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of Catholic Charities of Rochester, d.b.a. Catholic Charities Tompkins/Tioga for the purpose of Ongoing Integrated Employment Services in Tioga County; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: Catholic Charities has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a renewal contract with Catholic Charities, for \$18,312 plus any additional state aid received, for the continuation of Ongoing Integrated Employment Services for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 335-24 *AUTHORIZE CONTRACT WITH REHABILITATION SUPPORT SERVICES, INC. TO ADMINISTER PSYCHOSOCIAL CLUB, HEALTH HOME NON-MEDICAID CARE MANAGEMENT, HEALTH HOME SERVICE DOLLARS & ADMINISTRATION, SUPPORTED HOUSING RENTAL ASSISTANCE & COMMUNITY SERVICES, WARM LINE AND DROP-IN CENTER*

WHEREAS: Tioga County Mental Hygiene uses the services of Rehabilitation Support Services, Inc. (RSS) for the purpose of administering the following programs: PsychoSocial Club, Health Home Non-Medicaid Care Management, Health Home Service Dollars & Administration, Supported Housing Rental Assistance & Community Services, Warm Line and Drop-In Center; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: RSS has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a renewal contract with RSS, for \$278,039 plus any additional state aid received, for the continuation of PsychoSocial Club, Health Home Non-Medicaid Care Management, Health Home Service Dollars & Administration, Supported Housing Rental Assistance & Community Services, Warm Line and Drop-In Center in Tioga County for the period January 1, 2025 through December 31, 2025.

Legislator Standinger spoke. "This provides services for those who are least among us and from what I have seen they are effective at what they do. Although it is a lot of money, it certainly is a worthy service."

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 336-24 *AUTHORIZE CONTRACT WITH
TOMPKINS-SENECA-TIOGA BOCES TO ADMINISTER
PREVENTION SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of Tompkins-Seneca-Tioga BOCES for the purpose of Alcohol and Substance Abuse Prevention in Tioga County; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: Tompkins-Seneca-Tioga BOCES has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into renewal contracts with Tompkins-Seneca-Tioga BOCES, for \$11,000 plus any additional state aid received, for the continuation of Alcohol and Substance Abuse Prevention for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 337-24 *AUTHORIZE CONTRACT WITH
FAIRVIEW RECOVERY SERVICES FOR
CONTRACTING FOR MENTAL HYGIENE
CONTRACTED STAFFING*

WHEREAS: Tioga County Mental Hygiene uses the services of Fairview Recovery Services for the purpose of contracted staffing for the Mental Hygiene Clinic; and

WHEREAS: Fairview Recovery Services has performed these services in the past for Tioga County Mental Hygiene; and

WHEREAS: Tioga County Mental Hygiene budgeted in 2025 for this contract; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a contract with Fairview Recovery Services, for \$270,000, contracting for Mental Hygiene Contractual Staffing for the period January 1, 2025, through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ITCS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 338-24 *AUTHORIZE AGREEMENT WITH FRESHWORKS, INC.*

WHEREAS: The Chief Information Officer has identified a need for an Information Technology Service Management (ITSM) platform to replace and significantly

improve and increase existing ITSM platform processes and reporting capabilities; and

WHEREAS: The Chief Information Officer, Deputy Director of ITCS, System Administrator and Network Administrator have completed analysis and demonstrations of different ITSM software platforms; and

WHEREAS: The Chief Information Officer was able to negotiate a 27.42% discount, providing best value for this service; and

WHEREAS: The Chief Information Officer is recommending to the Tioga County Legislature to subscribe to a Software as a Service (SaaS) platform from Freshworks, Inc. at an annual cost of \$7,560; and

WHEREAS: The software will be funded using the ITCS operating budget; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute the agreement between Tioga County, NY and Freshworks, Inc. for the ITSM platform, FreshService at an annual cost of \$7,560 for a period of 26 months.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 339-24

*AUTHORIZE CONTRACT BETWEEN
RIVERSIDE FORENSIC PATHOLOGY, PLLC AND TIOGA
COUNTY*

WHEREAS: Riverside Forensic Pathology, PLLC will provide professional services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County for the contract period of January 1, 2025 – December 31, 2025; and

WHEREAS: The contract with Riverside Forensic Pathology, PLLC calls for \$1,200 per complete autopsy examination to be paid to pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Legislative Chair to sign a contract, upon approval of the County Attorney, with Riverside Forensic Pathology, PLLC for services rendered to Tioga County at the costs listed above and for a term of 1/1/25 – 12/31/25.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 340-24 *RESOLUTION TO APPROVE
STSJP CONTRACT FOR SFY 2024-2025
PROBATION AS LEAD AGENCY FOR
APPLICATION FOR FUNDING VIA STSJP*

WHEREAS: The NYS Office of Children and Family Services (OCFS) has directed every County to create Alternative to Detention programming and since 2015 the Probation Department has been the Lead Agency for the County to apply for STSJP funding; and

WHEREAS: The funding is based on an approved OCFS contract for a maximum of \$40,000 and is set at a ratio of 62% state reimbursement – 38% county share for monies expended by the County for Alternative to Detention programming for Juvenile Delinquents. The Tioga County Legislature agrees to accept this reimbursement funding format; therefore be it

RESOLVED: That the Tioga County Legislative Chair is approved to contract with the Office of Children and Family Services for STSJP funding as follows:

Probation Department – Juvenile Delinquency Alternatives to Detention

Reminder Call, Electronic Monitoring	\$12,882.00
State Share	\$ 7,986.84
County Share	\$ 4,895.16

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 341-24 *INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE*

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last twenty-four years; and

WHEREAS: Broome County and Tioga County developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the years 2025-2026; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the years 2025-2026 upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE
IT COMMITTEE

RESOLUTION NO. 342-24 *RENEW SOFTWARE LICENSE AGREEMENT WITH NTS
DATA SERVICES FOR FIVE YEARS*

WHEREAS: The Tioga County Board of Elections utilizes the APEX voter registration system from NTS Data Services to maintain voter registrations, ballot applications, election inspector information, and petition information; and

WHEREAS: The Board of Elections plans to continue using such software for the stated purposes; and

WHEREAS: The current software agreement between the Board of Elections and NTS expires on December 31, 2024; and

WHEREAS: NTS provided the new agreement proposal to the Board of Elections listing the annual payments to be made over the next five years for ongoing license and support services; and

WHEREAS: The first payment was included in the Board of Elections' 2025 budget proposal; therefore be it

RESOLVED: With approval of the County Attorney and Chief Information Officer, the Board of Elections is authorized to renew the software license agreement with NTS from January 1, 2025 through December 31, 2029, and make the following payments:

- On January 15, 2025, the BOARD shall make a payment of \$40,640.40 to NTS.
- On January 15, 2026, the BOARD shall make a payment of \$43,078.82 to NTS.
- On January 15, 2027, the BOARD shall make a payment of \$45,663.55 to NTS.
- On January 15, 2028, the BOARD shall make a payment of \$48,403.36 to NTS.
- On January 15, 2029, the BOARD shall make a payment of \$51,307.56 to NTS.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 343-24 *AUTHORIZE 2024 BALLOT BY MAIL GRANT AND
AMEND 2024 BUDGET
BOARD OF ELECTIONS*

WHEREAS: The 2024 NYS Budget created the Ballot By Mail Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$28,516.18 eligible expenses under this grant program, for the term of 04/01/2024 to 03/31/2025; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 26, 2024; therefore be it

RESOLVED: That the Tioga County BOE is authorized to apply for and receive reimbursement from the NYS Ballot By Mail Grant Program, for up to \$28,516.18; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM:	A1450 439060 BBMG State Aid-Elections	\$28,516.18
TO:	A1450 540490 BBMG Election Expense	\$28,516.18

And be it further

RESOLVED: That any unspent funds under this grant in FY2024 shall carry over to FY2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 344-24 *AUTHORIZE 2024 ELECTRONIC POLL BOOK GRANT
AND AMEND 2024 BUDGET
BOARD OF ELECTIONS*

WHEREAS: The 2024 NYS Budget created the Electronic Poll Book Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$46,823.14 eligible expenses under this grant program, for the term of 04/01/2024 to 03/31/2025; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 26, 2024; therefore be it

RESOLVED: That the Tioga County BOE is authorized to apply for and receive reimbursement from the NYS Electronic Poll Book Grant Program, for up to \$46,823.14; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM:	H1450 439060 EPOLL State Aid-Elections	\$46,823.14
TO:	H1450 520490 EPOLL Capital Election Expense	\$46,823.14

And be it further

RESOLVED: That any unspent funds under this grant in FY2024 shall carry over to FY2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 345-24 *AUTHORIZE 2024 GENERAL ELECTION GRANT AND AMEND 2024 BUDGET BOARD OF ELECTIONS*

WHEREAS: The 2024 NYS Budget created the 2024 General Election Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$21,454.93 eligible expenses under this grant program, for the term of 04/01/2024 to 03/31/2025; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 26, 2024; therefore be it

RESOLVED: That the Tioga County BOE is authorized to apply for and receive reimbursement from the NYS 2024 General Election Grant Program, for up to \$21,454.93; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM:	A1450 439060 GE24 State Aid-Elections	\$21,454.93
TO:	A1450 540490 GE24 Election Expense	\$16,117.82
TO:	A1450 520130 GE24 Equipment (Not Car)	\$ 5,337.11

And be it further

RESOLVED: That any unspent funds under this grant in FY2024 shall carry over to FY2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 346-24 RE-ESTABLISH PRIOR YEAR GRANT FUNDS
BOARD OF ELECTIONS

WHEREAS: With the 2024 NYS Budget, the NYS Legislature authorized the extension of the Elections Cybersecurity Remediation Grant Program through March 21, 2025; and

WHEREAS: The remaining balance for Tioga County for this grant is \$15,790.38; therefore be it

RESOLVED: That the remaining grant allocation of \$15,790.38, in the 2023 capital account H1450 520620 CYBER, shall carry forward to FY2024; and be it further

RESOLVED: That any remaining grant funds from H1450 520620 CYBER at the close of FY2024 shall carry forward to FY2025.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 347-24 AUTHORIZE GRANT APPLICATION
SOCIAL SERVICES

WHEREAS: The Community Foundation for the Twin Tiers, The Floyd Hooker Foundation, The Mildred Faulkner Truman Foundation, and Tioga Downs Regional Community Foundation has released grant funding opportunities intended to support and benefit programs for the children and youth of Tioga County; and

WHEREAS: Tioga County Department of Social Services is seeking authorization to apply for the above grant opportunities to support the ongoing work and expansion of the Child Advocacy Center; and

WHEREAS: Application of Grant Funds requires Legislative approval; therefore be it

RESOLVED: That the Department be allowed to apply for grant funds.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 348-24 *AUTHORIZE GRANT APPLICATION TO EPA
BROWNFIELD COMMUNITY WIDE ASSESSMENT
PROGRAM – ECONOMIC DEVELOPMENT &
PLANNING*

WHEREAS: Tioga County has located throughout it several abandoned, underutilized and/or contaminated or potentially contaminated sites that drain the County's tax base as many of these properties are in poor condition and delinquent in real property taxes; and

WHEREAS: The Environmental Protection Agency (EPA) has a grant program that provides funding to assess these deleterious sites both in terms of contamination evaluations and planning for site reuse called the Brownfield Community Wide Assessment Program; and

WHEREAS: Tioga County is eligible for \$500,000 through this EPA Program to hire a consultant to conduct the environmental and planning activities; and
 WHEREAS: Within the \$500,000 grant budget Tioga County can request up to \$25,000 for administration; and

WHEREAS: There is no match required for this grant program and the application deadline is November 14, 2024; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes said grant application in the amount of \$500,000; and be it further

RESOLVED: That the County Legislature authorizes the Legislature Chair to sign all grant application paperwork contingent upon review and approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 349-24 *AUTHORIZE THE SUBMISSION OF THE
 2024-2025 NYS STOP DWI HIGH VISIBILITY
 ENGAGEMENT CAMPAIGN APPLICATION
 STOP DWI*

WHEREAS: The NYS STOP-DWI Foundation Board secured funding from the Governor's Traffic Safety Committee for the High Visibility Engagement Campaign during the grant cycle of October 1, 2024 – September 30, 2025 with funding set aside for Tioga County; and

WHEREAS: County Policy # 47 requires that a resolution be approved before any such grant application is submitted; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sheriff's Office to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 350-24 *FILING OF AN APPLICATION FOR
DEC MUNICIPAL WASTE REDUCTION AND
RECYCLING (MWRR) PROGRAM*

WHEREAS: The State of New York announced a grant from the DEC Municipal Waste Reduction and Recycling Program to support counties and local governments with their recycling and waste reduction program expenses; and

WHEREAS: Through this grant Solid Waste would be partially reimbursed for their eligible costs of the Sustainability Manager position and recycling and waste reduction educational and outreach program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grant; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the application for said grant upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 352-24 *ACCEPT NYS ESD RESTORE NY ROUND 8 GRANT AWARD FOR 81 NORTH AVE. REHABILITATION PROJECT AND MODIFY ECONOMIC DEVELOPMENT BUDGET*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution No. 162-24 authorizing the submission of a grant application to Restore New York Communities Initiative Round 8 (Restore NY) in the amount of \$1,065,000.00 on behalf of the Tioga County Property Development Corporation (TCPDC) to reconstruct residential homes on Temple Street and Liberty Street that were demolished by the TCPDC and rehabilitate a blighted, vacant mixed-use building at 81 North Ave. and authorizing Legislative Chair signature on grant related documents; and

WHEREAS: TCEDP was approved by Resolution No. 116-24 to schedule a public hearing for the Restore NY reconstruction and rehabilitation project; and

WHEREAS: TCEDP has received the Restore NY Round 8 Award letter dated August 13, 2024 stating that TCEDP has been awarded \$165,000.00 for the rehabilitation project on 81 North Ave.; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts said Restore NY \$165,000.00 award and authorizes the Chair of the Legislature to sign any and all grant related paperwork contingent upon review and approval of the County Attorney; and be it further

RESOLVED: That the 2024 budget be modified as follows:

CE8668 439890 CE009	81 North Ave Restore NY	\$165,000.00
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CE8668 540487 CE009 Program Expense – 81 North Ave Restore NY \$165,000.00

And be it further

RESOLVED: That the Chair of the Legislature or duly authorized representative (including County Treasurer and/or County Administrator), is hereby authorized to make any transfers of funds required within the Economic Development budget.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 353-24 ACCEPT NYSERDA CLEAN ENERGY COMMUNITIES
PROGRAM GRANT AWARD AND
MODIFY SUSTAINABILITY BUDGET

WHEREAS: Tioga County Sustainability was approved by Resolution No. 286-24 authorizing the submission of a grant application to New York State Energy Research and Development Authority (NYSERDA) Clean Energy Communities Program in the amount of \$10,000.00 and authorizing Legislative Chair signature on grant related documents; and

WHEREAS: Since the Village of Owego is in a Disadvantaged Community and the electric landscaping equipment will be housed and primarily used in this community, Tioga County Sustainability was approved by NYSERDA to receive an extra \$5,000.00; and

WHEREAS: Tioga County Sustainability received NYSERDA notification on September 30, 2024 stating that Tioga County Sustainability has been approved for a \$15,000.00 award; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts said NYSERDA Clean Energy Communities Program award of \$15,000.00 and authorizes the Chair of the

Legislature to sign any and all grant related paperwork contingent upon review and approval of the County Attorney; and be it further

RESOLVED: That the 2024 budget be modified as follows:

A8160 439892	Solid Waste State Aid	\$15,000.00
A8160 520280	Tools Large/Power	\$15,000.00

And be it further

RESOLVED: That the Chair of the Legislature or duly authorized representative (including County Treasurer and/or County Administrator), is hereby authorized to make any transfers of funds required within the Sustainability budget.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 354-24 APPROVE TECHNICAL ASSISTANCE
PROVIDED BY ED&P STAFF

WHEREAS: A resolution is required by County policy to disclose matching cash and or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Economic Development and Planning staff provided technical assistance for the following:

<u>Organization</u>	<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Village of Newark Valley	ESD-Planning and Feasibility Studies Program	\$22,500.00	Downtown Strategic Plan

And

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided as noted above.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 355-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has been notified of approval of funding for the 2024-25 fiscal year for both the *Sober Truth On Preventing underage drinking (STOP)* and the *Drug Free Communities (DFC)* portions of the County's Advocacy, Support and Prevention (ASAP) Coalition; and

WHEREAS: TCPH will receive the funds specifically for coordinating the ASAP Coalition via pass-through from Tioga County Mental Hygiene; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From:

A4053 422800 DFC	Health Services-Other Governments	\$125,000
A4053 422800 STOP	Health Services-Other Governments	\$ 60,000

To:

A4053 540487 DFC	Program Expense	\$125,000
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ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 358-24 *REQUEST TO TRANSFER FUNDS &
MODIFY 2024 BUDGET
TREASURER'S OFFICE*

WHEREAS: The Law Department has experienced a significant increase in the legal fees in 2024 which have exceeded their current budget; and

WHEREAS: The Treasurer's Office has available budget in their Expense of County Owned Property org; and

WHEREAS: Transfer of Funds and Budget Modification requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1364 540140	Contracting Services	\$ 10,000.00
To: A1420 540330	Legal Fees	\$ 10,000.00

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 359-24 AMEND 2024 CAPITAL BUDGET
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation (BRIDGE NY) consisting of Federal funds for a project, Straits Corners Road over Pipe Creek PIN 9755.97; and

WHEREAS: The cost for Preliminary Engineering/Design work for this project is \$220,000.00, in which 95% of the project will be Federal Funds reimbursed to Tioga County with a 5% Local Share; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the following account(s) be established, and the 2024 Capital Budget be modified, and funds be appropriated to the following accounts:

H51 10.540004.H2403	Straits Corners Road over Pipe Creek	\$220,000
H51 10.445020.H2403	Straits Corners Road over Pipe Creek	\$209,000
H 390900	Unrestricted Fund Balance	\$ 11,000

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 360-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in October, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

October 26, 28 & 31 – Trunk or Treats - \$600.00 (MHO Grant)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 361-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program Phase 10 (FFY 24), PIN 9754.59 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering / Design and Construction, Construction Support, and Construction Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering / Design work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$230,600 is hereby appropriated from account D51 10.540050 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 362-24 *RESCIND RESOLUTION NO. 296-24;
AUTHORIZING THE IMPLEMENTATION AND FUNDING
IN THE FIRST INSTANCE 100% OF THE FEDERAL AID
AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE
COSTS OF A TRANSPORTATION FEDERAL-AID
PROJECT AND APPROPRIATING FUNDS*

WHEREAS: Resolution No. 296-24 authorized the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs for a transportation Federal-Aid Project and appropriated funds therefore; and

WHEREAS: Resolution No. 296-24 appropriated the sum of \$1,116,700.00 from the Paving Projects Account H5110.540001.H2402 and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS: The PIN number was incorrect and is being revised; therefore be it

RESOLVED: That Resolution No. 296-24 is hereby rescinded, and a new resolution will be adopted with the correct PIN number.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 363-24

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Day Hollow Road, Taylor Road, Bodle Hill Road Pavement Rehabilitation PIN 9755.30 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Support and Construction Inspection work; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the

cost of the Construction and Construction Support and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$1,116,700.00 is hereby appropriated from Paving Projects Account H5110.540001.H2402 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 364-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL AID AND/ OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS*

WHEREAS: A project for the Straits Corners Road over Pipe Creek Bridge Deck Replacement (BIN 3335070) (BNY23) in the Town of Candor, County of Tioga, PIN 9755.97 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, 23 CFR as amended and PUB. L117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS: The County of Tioga will design, let, and construct the Project; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the Preliminary Engineering / Design work for the Project or portions thereof.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the Project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay 100% of the costs of the Preliminary Engineering / Design work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED: That the sum of \$220,000 is hereby appropriated from account H5110.540004.H2403 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the Project which exceed the amount of

federal-aid, state-aid, or Bridge NY Funding awarded to the County of Tioga; and it is further

RESOLVED: That in the event the Project costs not covered by federal-aid, state-aid, or Bridge NY funding exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Responsible Local Official of the County of Tioga; and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award of the construction phase of the Project and shall be completed within thirty (30) months; and it is further

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Standing, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 365-24 *AMEND RESOLUTION NO. 142-24;
CREATE AND FILL THREE (3) HIGHWAY WORKER
(SEASONAL) POSITIONS
PUBLIC WORKS*

WHEREAS: Resolution No. 142-24 authorized the creation and filling of three (3) full-time, Highway Worker (Seasonal) positions (\$15.31/HR) in the Tioga County Department of Public Works for a temporary duration from April 15, 2024 – October 11, 2024; and

WHEREAS: One of these positions remained vacant after June; and

WHEREAS: The Commissioner of Public Works would like to extend the date of the temporary position to adequately staff his department; and

WHEREAS: Due to said vacancy of this position, there are sufficient funds within the department's Part Time/Temporary budget line D5110.510020 to cover an extension; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the continuance of one full-time, Highway Worker (Seasonal) position in Public Works through December 20, 2024.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE
 FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 366-24 *CREATE AND FILL TWO FULL-TIME SOCIAL SERVICES EMPLOYMENT SPECIALIST POSITIONS, AMEND BUDGET AND APPROPRIATE FUNDS*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Social Services Department has an approved allocation of \$165,385 for SFY 2024-2025 for Family-Centered Case Management Services; and

WHEREAS: The Family-Centered Case Management Services provides funding intended to support hiring staff and other costs related to the program; and

WHEREAS: The Family-Centered Case Management Services Initiative is to provide a range of case management services for TANF eligible families who are having difficulty stabilizing their households and transitioning toward greater financial security; and

WHEREAS: The Social Services Employment and Transitional Supports Director determined having two (2) additional Social Services Employment Specialists tied to the Family-Centered Case Management Services allocation would be required for said duties; therefore be it

RESOLVED: That the Commissioner of Social Services be authorized to create and fill two (2) full-time Social Services Employment Specialists positions (CSEA grade VII) effective October 21, 2024; and be it further

RESOLVED: That upon approval the funding be appropriated as follows:

From: A6010.446100	Federal Aid: Administration	\$ 165,385
To: A6010.510010	Full Time Expenses	\$ 83,240
To: A6010.581088	State Retirement Fringe	\$ 12,011
To: A6010.583088	Social Security Fringe	\$ 6,395
To: A6010.584088	Workers Compensation Fringe	\$ 2,170
To: A6010.585588	Disability Insurance Fringe	\$ 130
To: A6010.586088	Health Insurance Fringe	\$ 33,373

To:	A6010.588988	Eap Fringe	\$ 27
To:	A6010.520090	Computer	\$ 8,500
To:	A6010.520200	Office Equipment	\$ 4,539
To:	A6010.520210	Other Furniture	\$ 4,000
To:	A6010.540733	Training/All Other	\$ 3,000
To:	A6010.540420	Office Supplies	\$ 3,000
To:	A6010.540640	Supplies (Not Office)	\$ 5,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$165,385 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 367-24 APPOINTMENT OF DEMOCRATIC
ELECTION COMMISSIONER

WHEREAS: The Chairman of the Democratic Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That James Wahls be and hereby is appointed Election Commissioner for the Democratic Party from January 1, 2025 through December 31, 2026.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 368-24 *AUTHORIZE APPOINTMENT OF ACCOUNTANT
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The position of Accountant became vacant as of August 12th, 2024 within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a desirable candidate; and

WHEREAS: The salary range for said position has been identified as \$49,758 to \$59,758; and

WHEREAS: The Treasurer and the Personnel Officer have determined that the qualified candidate possesses 20+ years' experience, which is sufficient experience and skills to justify an entry salary at the top of the salary range; therefore be it

RESOLVED: That David Collison is provisionally appointed to the title of Accountant, pending successful completion of civil service examination requirements, at an annual Management/Confidential salary of \$59,758, effective October 21st, 2024; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mr. Collison shall be eligible for any authorized 2025 Management/Confidential salary increase effective April 21st, 2025, following a successful six-month evaluation.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 369-24 *AUTHORIZE APPOINTMENT OF BENEFITS ASSISTANT
(PERSONNEL DEPARTMENT)*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Personnel Officer and the Benefits Manager have conducted a recruitment search and have identified a desirable candidate; therefore be it

RESOLVED: That the Personnel Officer is authorized to provisionally appoint Christa Anderson to the title of Benefits Assistant, pending successful completion of civil service examination requirements at an annual, Management/Confidential salary of \$44,000 effective October 21, 2024; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Ms. Anderson shall be eligible for any authorized 2025 Management/Confidential salary increase effective April 21, 2025, following a successful six-month evaluation.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 370-24 *AUTHORIZE APPOINTMENT OF
ECONOMIC DEVELOPMENT SPECIALIST
ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Director of Economic Development and Planning received authorization to fill said vacancy per Resolution No. 256-24; and

WHEREAS: The Director of Economic Development and Planning conducted interviews and identified a qualified candidate with prior relevant work experience; therefore be it

RESOLVED: That the Director of Economic Development and Planning is hereby authorized to appoint Sara Zubalsky-Peer to the position of full-time Economic Development Specialist at an annual Management/Confidential salary of \$60,000.00 effective November 4, 2024; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Zubalsky-Peer shall serve a probationary period of eight to fifty-two weeks; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Ms. Zubalsky-Peer shall be eligible for any authorized 2025 Management/Confidential salary increase effective May 4, 2025, following a successful six-month evaluation; and be it further

RESOLVED: That this resolution will be null and void if Ms. Zubalsky-Peer fails to pass the County mandated criminal background check.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ITCS COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 371-24 AMEND EMPLOYEE HANDBOOK; SECTION VIII:
COMPREHENSIVE INFORMATION SECURITY POLICY

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have determined that aligning with the National Institute of Standards and Technology standards is appropriate for the Information Technology infrastructure within Tioga County, New York; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have reviewed the County's Comprehensive Information Security Policy and made recommendations to modify Section VI-O and add new Section VI-P; therefore be it

RESOLVED: That the Comprehensive Information Security Policy, Sections VI-O be amended and replaced and new Section VI-P be added as follows:

O. Physical and Environmental Protection

Purpose

To ensure that Information Technology (IT) resources are protected by physical and environmental security measures that prevent physical tampering, damage, theft, or unauthorized physical access.

Reference

National Institute of Standards and Technology (NIST) Special Publications (SP): NIST SP 800-53a – Physical and Environmental Protection (PE), NIST SP 800-46, NIST SP 800-73, NIST SP 800-76, NIST SP 800-78, NIST SP 800-116.

Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets.

1. Physical Access Authorizations

ITCS Department shall:

- a. Develop, approve, and maintain a list of individuals with authorized access to the facilities where the information systems reside.
- b. Issue authorization credentials for facility access.
- c. Review the access list detailing authorized facility access by individuals and remove individuals from the facility access list when access is no longer required.

2. Physical Access Control

ITCS Department shall:

- a. Enforce physical access authorizations by verifying individual access authorizations before granting access to the facility.
- b. Control ingress/egress to the facility using an automated access system or physical keys.
- c. Maintain physical access audit logs for each information system location.
- d. Provide signage to control access within the facility officially designated as publicly accessible.
- e. Escort visitors and monitor visitor activity in restricted areas.
- f. Secure keys, combinations, and other physical access devices.
- g. Inventory keys and other physical access devices every quarter.
- h. Change combinations annually and/or when combinations are compromised, or individuals are transferred or terminated.

3. Monitoring Physical Access

ITCS Department shall:

- a. Monitor physical access to the facility where the information system resides to detect and respond to physical security incidents.
- b. Review physical access logs monthly and coordinate results of reviews and investigations with the IT Standing Committee.

4. Visitor Access Records

ITCS Department shall:

- a. Maintain visitor access records to the facility where the information system resides for 2 years; and reviews visitor access records monthly.

5. Emergency Power

ITCS Department shall:

- a. Provide a short-term uninterruptible power supply to facilitate an orderly shutdown of the information system; transition of the information system to long-term alternate power in the event of a primary power source loss.
- b. Provide a long-term alternate power supply for the information system that is capable of maintaining minimally required operational capability in the event of an extended loss of the primary power source.

6. Emergency Lighting

ITCS Department shall:

- a. Employ and maintain automatic lighting for the information system that activates in the event of a power outage or disruption and that covers emergency exits and evacuation routes within the facility.
- b. Provide emergency lighting for all areas within the facility supporting essential missions and business functions.

7. Fire Protection

ITCS Department shall:

- a. Employ and maintain fire suppression and detection devices/systems for the information system that are supported by an independent energy source.

This applies primarily to facilities containing concentrations of information system resources, including, for example, data centers, server rooms, and mainframe computer rooms. Fire suppression and detection devices/systems include, for example, sprinkler systems, handheld fire extinguishers, fixed fire hoses, and smoke detectors.

8. Temperature and Humidity Controls

ITCS Department shall

- a. Maintain temperature and humidity levels within the facility where the information system resides between 64.4 and 80.6 degrees Fahrenheit and 20 to 80% relative humidity.

- b. Monitor temperature and humidity levels continuously to include alarms and notifications of changes potentially harmful to personnel or equipment.
9. Water Damage Protection

ITCS Department shall:

- a. Protect information system from damage resulting from water leakage by providing master shutoff or isolation valves that are accessible, working properly, and known to key personnel.

This applies primarily to facilities containing concentrations of information system resources including, for example, data centers, server rooms, and mainframe computer rooms. Isolation valves can be employed in addition to or in lieu of master shut off valves to shut off water supplies in specific areas of concern, without affecting entire organizations.

10. Delivery and Removal

ITCS Department shall:

- a. Authorize, monitor, and control entering and exiting the facility and maintain records of those items delivered and removed from the facility.

Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to IT resources, and other actions as well as both civil and criminal penalties.

Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken, initiatives, actions and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

P. Security Assessment and Authorization

Purpose

The Information Technology and Communication Services (ITCS) Department and the various business units (information owners) will ensure security controls in information systems, and the environments in which those systems operate, as part of initial and

ongoing security authorizations, annual assessments, continuous monitoring and system development life cycle activities.

Reference

National Institute of Standards and Technology (NIST) Special Publications (SP): NIST SP 800-53a – Security Assessment and Authorization (CA), NIST SP 800-12, NIST SP 800-37, NIST SP 800-39, NIST SP 800-47, NIST SP 800-100, NIST SP 800-115, NIST SP 800-137, NIST Federal Information Processing Standards (FIPS) 199

Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets. Every department that maintains or collects informational assets must be compliant with this policy.

1. Security Assessment and Authorization Policy and Procedures

Tioga County, NY shall:

- a. Develop a security assessment plan that describes the scope of the assessment including:
 - i. Security controls and control enhancements under assessment.
 - ii. Assessment procedures to be used to determine security control effectiveness.
 - iii. Assessment environment, assessment team, and assessment roles and responsibilities.
- b. Assess the security controls in the information system and its environment of operation annually to determine the extent to which the controls are implemented correctly, operating as intended, and producing the desired outcome with respect to meeting established security requirements.
- c. Produce a security assessment report that documents the results of the assessment.
- d. Provide the results of the security control assessment to the IT Standing Committee.

2. System Interconnections

ITCS Department shall:

- a. Authorize connections from the information system to other information systems through the use of Interconnection Security Agreements.

- b. Document, for each interconnection, the interface characteristics, security requirements, and the nature of the information communicated.
 - c. Review and update Interconnection Security Agreements annually.
 - d. Employ and permit by exception policy for allowing Tioga County information systems to connect to external information systems.
3. Plan of Action and Milestones

ITCS Department shall:

- a. Develop a plan of action and milestones for the information system to document the planned remedial actions to correct weaknesses or deficiencies noted during the assessment of the security controls and to reduce or eliminate known vulnerabilities in the system.
 - b. Update existing plan of action and milestones as necessary, based on the findings from security control assessments, security impact analysis, and continuous monitoring activities.
4. Security Authorization

Tioga County, NY shall:

- a. Assign a senior-level executive or manager as the authorizing official for the information system.
- b. Ensure that the authorizing official authorizes the information system for processing before commencing operations.
- c. Update the security authorization annually.

5. Continuous Monitoring

ITCS Department shall:

- a. Develop a continuous monitoring strategy and implement a continuous monitoring program that includes:
 - i. Establishment of metrics to be monitored.
 - ii. Establishment of monthly monitoring and annual assessments supporting such monitoring.
 - iii. Ongoing security control assessments in accordance with the organizational continuous monitoring strategy.

- iv. Ongoing security status monitoring of organization-defined metrics in accordance with the organizational continuous monitoring strategy.
- v. Correlation and analysis of security-related information generated by assessments and monitoring.
- vi. Response actions to address results of the analysis of security-related information.
- vii. Reporting the security status of organization and information systems to the IT Standing Committee monthly.

6. Internal System Connections

ITCS Department shall:

- a. Authorize internal connections of Tioga County information system components to the information system.
- b. Document, for each internal connection, the interface characteristics, security requirements, and the nature of the information communicated.

Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to IT resources, and other actions as well as both civil and criminal penalties.

Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken, initiatives, actions and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

And be it further

RESOLVED: That the remainder of Section VIII. Comprehensive Information Security Policy remains unchanged.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:29 p.m.

Public Hearing
NYS CDBG Public Facilities Project
Tioga County Neighborhood Depot Nonprofit Hub
Project No. 1142PF84-22
October 24, 2024

The Public Hearing on New York State Community Development Block Grant (CDBG) Public Facilities Grant Project; Tioga County Neighborhood Depot Nonprofit Hub (Project No. 1142PF84-22) was called to order by the Chair at 10:00 A.M. Seven Legislative members were present with Legislator Standinger being absent.

There were 10 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Casey Yelverton, Economic Development Specialist spoke. "The Neighborhood Depot Project is nearing completion, and a public hearing is required to provide the public an opportunity to provide comments related to the effectiveness of the administration of this CDBG project. All the CDBG funds have been fully expended and reimbursed. The temporary certification of occupancy was received and tenants including Racker, Rural Ministries, and United Way will be moving in. The old being is to be demolished within the next two weeks. The parking lot is anticipated to be paved in the spring. A ribbon cutting is also expected to take place in the spring."

Martha Sauerbrey, Chair of the Tioga County Legislature spoke. "I will say that Jackson and I had the opportunity to tour the facility and met with Sister Mary. It is an absolutely gorgeous space, and it can be used for many different things, so it is going to be a real asset to the community."

There being no further public comments, the hearing was adjourned at 10:04 A.M.

*Public Hearing
Local Law Introductory No. B of 2024
October 24, 2024*

The Public Hearing on Local Law Introductory No. B of 2024, A Local Law of the Tioga County Legislature of the County of Tioga, establishing a schedule of fees for permits issued by the Tioga County Department of Public Health was called to order by the Chair Sauerbrey at 10:05 A.M. Seven Legislative members were present with Legislator Standinger being absent.

There were seven people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Heather Vroman, Director of Public Health spoke. "This local law is actually amending a previously established local law with the last time amended in 2002. This local law sets our fee schedule for permits that oversee our Environmental Health division, so it was a thorough process that our Environmental Health Director, Director of Administrative Services, and myself were involved in looking at these fees in comparison to other counties, as well as looking at salaries and time spent doing inspections, etc. The Tioga County Board of Health approved this fee schedule, as well as our Health & Human Services Legislative Committee."

There being no public comments, the hearing was adjourned at 10:07 A.M.

Third Special Meeting
October 24, 2024

The Third Special Meeting of 2024 was held on October 24, 2024 and was called to order by the Chair at 10:10 a.m. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey were present with Legislator Standinger being absent.

Chair Sauerbrey asked for a moment of prayer. "Lord, God, we thank you for this opportunity to serve the public and do what is right. We ask you to guide us in our decisions and protect us all during this election time and just pray that everything goes well."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 7 people in attendance.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO:	FINANCE/LEGAL COMMITTEE LEGISLATIVE WORKSESSION
RESOLUTION NO. 372-24	<i>ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS</i>

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Candor, Newark Valley, Owego, Richford, Spencer, and Tioga were offered for sale at Public Auction conducted Monday, October 21, 2024, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Village of Waverly:</u>		
<u>166.19-3-6; Woodruff Leroy C & Jane</u>	Griffin D. Jacobson	\$26,000
<u>166.16-2-19; Moore Donald</u>	Steven Chaffee	\$20,000
<u>Town of Barton</u>		
<u>123.00-2-9; Acorn David L</u>	Currier Brett A. & Brenda L.	\$23,500
<u>157.07-1-17; GS Irrev. Trust</u>	Amber R. Pischel	\$ 1,500
<u>157.07-1-18; GS Irrev. Trust</u>	Amber R. Pischel	\$ 3,000
<u>111.00-1-14.30; Weisfelt Susan</u>	Betty R. Campbell	\$44,000
<u>Town of Candor</u>		
<u>60.00-1-17.20; Detar Nina A</u>	David J. Osovski	\$18,000
<u>7.03-1-30.30; Marlowe Victoria</u>	David V. Brich	\$36,000
<u>49.00-1-64; Sartori Joseph & Judy</u>	Kenneth L. Bensing Jr.	\$66,000
<u>61.00-1-58; Sartori Joseph & Judy</u>	Quick LaVerne A.	\$10,500
<u>Village of Newark Valley</u>		
<u>64.19-2-11, Worden Margaret</u>	Craft Rusty L.	\$27,000
<u>Town of Newark Valley</u>		
<u>64.00-2-11.20; Forestier Emanuel</u>	Short Eric D & Erin E.	\$70,000
<u>53.00-1-53; Rosenberger Mary E</u>	Wehner Bryce E.	\$ 500
<u>53.00-1-54; Rosenberger Mary E</u>	Wehner Bryce E.	\$18,000
<u>Village of Owego</u>		
<u>128.08-3-12; Forestier Emanuel</u>	Martin Jared J.	\$ 150
<u>129.05-3-19; Milster Phyllis</u>	Tombs Megan R.	\$ 200
<u>128.08-3-92; Mule Richard P</u>	Sadiq Mohammad	\$ 41,000
<u>Town of Owego</u>		
<u>153.05-1-12.112; Debra M Heenan</u>	Dowdle Ryan C	\$ 500
<u>129.00-3-44; Owego Holdings 2021 LLC</u>	Chainlink Properties LLC	\$ 9,500
<u>142.18-1-37; Mclain/Spicer, Rita</u>	Tioga Learning Properties	\$ 51,000
<u>143.13-1-20; Walsh Realty LLC</u>	Tow Broome LLC	\$ 500
<u>Town of Richford</u>		
<u>11.18-1-39; Werner Joseph J</u>	Jasmine Blaskiewicz	\$ 3,750

Town of Spencer

<u>59.00-1-50; Caslin Gary</u>	Jasmine Blaskiewicz	\$ 8,250
<u>80.00-1-28; GS Irrev.Trust</u>	Manwarren Brock	\$ 5,250
<u>92.00-1-5; GS Irrev. Trust</u>	Manwarren Brock	\$ 26,000
<u>69.-02-29.3; Karpel Joseph</u>	Pitici Ioan M.	\$ 75
<u>46.00-1-16; West William C</u>	Brock Colleen	\$ 550

Town of Tioga

<u>159.00-3-25; Holt/Wiggins Penny</u>	FS Lopke Contracting Inc	\$ 5,000
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ROLL CALL VOTE

Yes – Legislators Sauerbrey, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – Legislator Standinger

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 373-24 *AUTHORIZE THE SALE OF COUNTY-OWNED PROPERTY LOCATED IN VARIOUS TOWNS TO THE PRIOR OWNERS.*

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in The Village of Waverly, Town of Candor, Town of Owego, and Town of Tioga may owe 2022, 2023, and 2024 taxes and are past the last date of redemption; and

WHEREAS: The County has been approached by the former owners, who have made an offer to purchase their property "as is", thereby placing the properties back on the tax rolls; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of the unpaid taxes and recording costs, a Quit Claim Deed conveying the following properties transferred to Tioga County, located in Various Towns to the Prior Owners or Assigns.

Village of Waverly

166.14-2-3; Gowan Peter

166.16-2-3; Trent Rachel

Village of Candor

61.13-1-17.20; Herman Frank H

Town of Candor

40.00-1-3.20; Gehres Jeff

60.00-1-52.20; Herman Frank H

Town of Owego

153.06-1-1; Swawola Douglas

Town of Tioga

148.08-1-2; Collins Sean P

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – Legislator Standinger

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 374-24 *REQUEST & TRANSFER OF CONTINGENCY FUNDS, APPROPRIATION OF UNRESTRICTED FUND BALANCE, & MODIFICATION OF 2024 ASSIGNED COUNSEL BUDGET*

WHEREAS: The Assigned Counsel program has experienced a significant increase in the caseload of court matters in 2024 along with the effect of the NYS Assigned Counsel rate increase; and

WHEREAS: Contingency funds will need to be transferred from the contingency account to the Assigned Counsel account, and modification of the 2024

Assigned Counsel budget to accommodate the increase in court caseloads for 2024; and

WHEREAS: Unrestricted general fund balance will need to be appropriated to cover the anticipated budgetary shortfall for 2024; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from the contingency account, and an appropriation of unrestricted general fund balance, as follows:

FROM:	A1990 540715	Contingency Transfer	\$ 50,000.00
FROM:	A 390900	Fund Balance	\$100,000.00
TO:	A1172 540030	Assigned Counsel	\$150,000.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – Legislator Standinger

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -24 *AUTHORIZE APPOINTMENT OF PUBLIC HEALTH
EMERGENCY PREPAREDNESS COORDINATOR
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: Resolution No. 311-24 authorized the creation of the Public Health Emergency Preparedness Coordinator; and

WHEREAS: The Public Health Director has identified a candidate who is qualified and willing to accept the appointment for said title; and

WHEREAS: Based on Patrick Dewing's 8+ years of relevant experience and skillset the Public Health Director, in coordination with the Personnel Officer, has determined that Patrick Dewing's salary shall start above the minimum base amount; therefore be it

RESOLVED: That Mr. Dewing is provisionally appointed to the title of Public Health Emergency Preparedness Coordinator, pending successful completion of civil service examination requirements, at an annual Management/Confidential salary of \$57,924, effective November 4, 2024; and be it further

RESOLVED: That in accordance with the Tioga County Employee Handbook Management/Confidential Benefits Policy, Mr. Dewing shall be eligible for any authorized 2025 Management Confidential salary increase effective May 4, 2025, following a successful six-month evaluation.

Director of Public Health Vroman spoke. "I would like to request an Executive Session for further discussion."

Legislator Mullen made a motion to move into Executive Session, seconded by Legislator Brown at 10:15 a.m. to discuss matters leading to the appointment of an individual. Motion carried. County Attorney DeWind, Legislative Clerk Haskell, County Administrator Bailey, and Public Health Director Vroman remained in attendance. Executive session adjourned at 10:18 a.m.

Legislator Monell made a motion to have the resolution withdrawn, seconded by Legislator Mullen and carried.

ROLL CALL VOTE TO WITHDRAW RESOLUTION

Yes – Legislators Sauerbrey, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – Legislator Standinger

RESOLUTION WITHDRAWN.

Meeting was adjourned at 10:19 a.m.

*Public Hearing
2025 Budget
November 12, 2024*

The Public Hearing on the 2025 Budget was called to order by the Chair at 10:00 A.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger were present.

There were five people in attendance along with County Administrator Jackson Bailey.

The Clerk read the legal notice as published in the official newspapers.

County Administrator Bailey gave the 2025 budget presentation.

“Dear Honorable Members of the Tioga County Legislature and Citizens of Tioga County. Today, Tuesday, November 12, 2024, I present to you the proposed Tentative County Budget for 2025.

“In the beginning of the budget process, the Tioga County Legislature had provided Budget Directives to departments including minimal increases to local share amounts unless related to new mandates from the State or standard COLA increases, keeping the County personnel count to a sustainable number, and scrutiny of the proposed Capital Budget.

“These directives have helped to ensure that the budget meets the financial goals of the County by means of having a balanced budget using reasonable revenue and expense expectations, adhering to the State mandated tax cap amount, maintaining a ‘*not in fiscal distress*’ rating with the NYS Comptroller’s Office, and maintaining an estimated amount of fund balance that is within the County’s Fund Balance Policy.

“The 2025 Budget process was met with the continued challenge of unfunded and underfunded mandated services as prescribed by the State. Mandated services in 2025 are estimated to make up 107% of the total County Tax Cap. In 2024, it made up 98% of the Tax Cap and 96% in 2023. This is approximately a 10% increase from last year in services that are mandated to be provided by New York State.

“Tioga County Legislators, Department Heads, and employees continue to be great stewards of taxpayer dollars, diligently looking for cost-saving measures, advocating for additional revenue sources and seeking new sources for economic

growth. The proposed budget maintains all programs and services currently provided to Tioga County residents for 2025.

“The 2025 budgeted expenses proposed are \$103,259,946, a 1.7% increase over the prior year. The proposed budget revenues are \$70,109,223, a 2.4% increase over the prior year.

“After applying the tentative property tax levy of \$26,887,599, I propose using \$6,263,164 in Unrestricted General Fund Balance to close the budgetary gap for 2025.

“The increase in expenditures is a combination of Contractual Salaries and Fringe Benefit costs, Medicare costs, Day Care & Social Services costs, Juvenile Delinquent Program Expense, and Community College Expense.

“The 2025 Budget brings significant increases in Salaries and Employer paid benefits. The average contractual salary increase is 3%, the active health insurance premiums increased by 6%, and the NYS Retirement bill for 2025 increased by 38%, an approximate one million dollar increase in retirement premiums for eligible County employees.

“Tioga County continues to share sales tax with towns and villages. Some counties in the State have found the need to reduce or eliminate their sales tax distributions to meet their budgetary needs. Tioga County will maintain the sales tax distribution to towns and villages, and estimates distributing over \$6.5 million in the 2025 budget.

“The County anticipates paying nearly \$3 million annually in college tuition chargebacks for residents in 2025.

“The largest funding streams for the County are Real Property Taxes, Sales Tax, Fees for Service, and State Aid. Sales tax amounts received have been well over what has been anticipated by the State, but the amounts are forecasted to decrease in the near future. Casino Revenue is an especially unstable source of revenue as it not only depends on the performance of the Tioga Downs Casino itself, but the amount awarded to Tioga County is considered to be State Aid, this amount as such is formulated by the State of New York and can be re-formulated and reduced at any time.

“The NYS Tax Cap calculation for 2025 allows for a 2.25% increase to the tax levy, a \$591,210 allowance. With the allowable increase, the 2025 proposed County Real Property Tax Levy shall be \$26,887,599.

“2025 will mark the 13th consecutive budget year that Tioga County has stayed under the State imposed property tax cap. The 10-year average increase in the Tax Levy has been approximately 1.58%.

“The Combined Composite Tax Rate for 2025 is \$6.92 per \$1,000 of taxable value. The average assessed \$100,000 home will pay approximately \$692 in County Tax. Tax rates will vary due to the State established equalization rates and each municipality's apportionment percentage. The Combined Composite Tax Rate includes Veterans and religious exemptions which will also impact the tax rates.

“In preparation for the 2025 Budget, I would like to thank all Department Heads and County employees for their participation in the annual budget process. I would like to especially thank Legislative Clerk Cathy Haskell, Real Property Director Steven Palinosky, Personnel Officer Linda Parke, Benefits Manager Camille Mattison-Corneby, County Treasurer James McFadden, Deputy County Treasurer Katie Chandler, Chief Accountant Laura Schurter, and Payroll Supervisor Amy Potter.

“I would also like to thank Legislative Chair Martha Sauerbrey and the Tioga County Legislature for their continued strength, leadership, and unrelenting support and assistance throughout the budget process.

“Please note the proposed Real Property Tax Levy cannot be increased after today's hearing without an additional public hearing.

“Following the presentation of the 2025 Budget Brief, the floor will be open for comments to the Legislature.”

The County Administrator presented a PowerPoint slide presentation on budget brief specifics.

Legislator Standinger spoke. “I was resistant to the County Administrator position but seeing that he also does the budget I am certainly in favor of what he does. I think this is evidence of what he does, and he does it very well. Thank you.”

Legislator Mullen spoke. “In regard to the increase in Raise the Age and Juvenile Detention, the County is currently going through another situation, and this was not an issue before Raise the Age and Bail Reform. It is a hidden cost to the County. It was not another mandate, as they changed the law. Now, we are forced to find housing for juveniles up to the age of eighteen when prior the criminal age was sixteen and by State Law juveniles up to the age of twenty-one were kept in a separate location in the jail and away from other adults. Now, we are scrambling again today to place a juvenile at an exorbitant cost. These are the hidden costs that come from the State every year with very little press and very little notice and there is absolutely no reimbursement from the State on this. So, when people ask

how things get more expensive, we do not utilize our jail because we have to put all these juveniles in detention facilities which under Governor Cuomo, they closed 50% of them prior to Raise the Age. That is why we pay the price we pay.”

There being no public comments, the hearing was adjourned at 10:23 A.M.

Eleventh Regular Meeting
November 12, 2024

The Eleventh Regular Meeting of 2024 was held on November 12, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked Legislator Brown to have a moment of prayer. "Lord, I ask you to help us make the right decisions at the end of the year for Tioga County for the 2025 year. Also, thanks to all the Veterans who served and servicemen who are still protecting this Nation."

Legislator Brown led all Legislators and those in attendance in the Pledge of Allegiance.

There were 27 people in attendance.

Chair Sauerbrey reported we have three Proclamations; **Salute to Tioga County Employee Veterans and Active Military Day** that will be read and presented by Chair Sauerbrey, **The Great American Smokeout Day** that will be read and presented by Legislator Standingger, and **Adoption Awareness Month** that will be noted in the minutes.

Chair Sauerbrey spoke. "Today, we are honoring and recognizing County employees who are Veterans, and we wish to show our appreciation. First, before I read the proclamation, I would like to ask Grace Middaugh from our Veterans Service Agency to come up and speak and share a few comments."

Grace Middaugh, Veterans Service Officer, spoke. "I would just like to say that Tioga County Veterans Service Agency would like to thank each of our Veterans for your service to our Country in the Armed Forces, Guard, and Reserves. We would also like to thank you for continuing with your commitment to our community with your exemplary dedication to duty, honor, and Country and present to you a small token of our appreciation.

"I would also like to read you a note from the Owego Free Academy students.

"To All Veterans, as we approach November 11th, Veterans Day, Owego Free Academy students want to take a moment to express our heartfelt gratitude to all the Veterans in our community. Your sacrifices and dedication to our Country are deeply appreciated and we want to ensure that you know how much you matter to us. On this special day, we will be thoughtful in

recognizing and honoring your contributions. Thank you for your service. With warm regards, Owego Free Academy.”

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: As we approach the season of Thanksgiving, the Tioga County Legislature pays tribute to the millions of service members, veterans, military families, caregivers, and survivors who have served and continue to serve our great Nation. The contributions of the men and women that serve in the Armed Forces has been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS: The Tioga County Legislature appreciates the sacrifices that our United States military personnel have made while defending freedom and believe that specific recognition should be accorded to employees of Tioga County that have selflessly served our Country; and

WHEREAS: The Tioga County Legislature is proud and honored to have such distinguished men and women who have bravely protected our values, freedom, and way of life, as dedicated employees; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have served, or are currently serving, our Country:

Lawrence Alger	Thomas Gallagher	Camille Mattison-Corneby	William Standinger III
William Allen, Jr.	Bryan Goodrich	Grace Middaugh	Stephen Solomon
Warren S Bennett	Mark Griep	Michael Middaugh	John Ward
Nicholas Bessey	Brian Henry	Dean Morgan	Steven Wasko
Steven Bombarger	Anthony Hill	Jessica Morris	Gavin Watkins
Cody Brunner	Earl Hollenbeck	Dennis Mullen	John Watson
James Burlless, Jr.	James Hoover	Steven Palinosky	Darion Wiant
James Cornell	Gary Howard	Edward Quaranta	Robert Williams
James Davis	Andrea Klett	Shawn Quick	Angela Zito
Chad Edwards	Albert Knapp	Jean Regis	
William Ellis, III	Heather Krohmalney	Kenneth Smith	
Robert Ervay	Jeremy Loveland	Jeffrey Shepardson	

THE TIOGA COUNTY LEGISLATURE does hereby proclaim November 12, 2024 as:

SALUTE TO TIOGA COUNTY EMPLOYEE VETERANS AND ACTIVE MILITARY DAY

and encourages Tioga County citizens to honor, acknowledge and recognize all men and women who have served, and continue to serve, in our nation's Armed Forces.

Chair Sauerbrey spoke. "I would also like to recognize Chris Lyken who works for Securitas and is our security officer at the County Office Building and is also a Veteran."

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Cancer is the second leading cause of death in the United States with lung cancer being the leading cause of cancer deaths; and

WHEREAS: The leading cause of lung cancer in the United States is caused by smoking, which remains the single largest preventable cause of death; and

WHEREAS: Data from the New York State Department of Health in 2021 found 21.5% of adults in Tioga County are currently smokers, which is higher than the New York State and National averages of 12%; and

WHEREAS: Smoking is also a concern for our youth in Tioga County. According to the 2023 Tioga County CLYDE report, 12.3% of students reported smoking cigarettes in their lifetime and 20.6% reported using an e-cigarette in their lifetime; and

WHEREAS: The third Thursday of November is known as the Great American Smokeout to encourage people to start their journey towards a smoke-free life and reducing their risk of cancer by quitting smoking; and

WHEREAS: Continued education and outreach can help decrease the number of youth who are smoking cigarettes, and using e-cigarettes and to decrease the percentage of adults who are current smokers; now therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim and designate the date of November 21, 2024 as:

THE GREAT AMERICAN SMOKEOUT DAY

and urges all Tioga County residents who currently smoke to learn about smoking cessation programs to help protect themselves and those around them. It also urges parents to educate their children about the dangers of becoming addicted to tobacco.

Legislator Standinger spoke. "I smoked up until 1993 when on the insistence of my wife after we moved into a newly renovated house that I would not smoke anymore, and I have been successful there. But it is a good thing to quit if you do smoke. You want to live as long as you can and whatever you can do to make that happen is a good thing for you."

Kristen Russell, Public Health Educator spoke. "On behalf of Tioga County Public Health and the ASAP Coalition, thank you Legislator Standinger and the entire Legislature for your support in this effort. As you heard, unfortunately, smoking is still a major problem in the ever-changing landscape of the tobacco industry making it increasingly difficult. Your continued support is always appreciated. Thank you."

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

This November marks the 34th annual National Adoption Month. November 23, 2024, is National Adoption Day. Our task is to find permanent homes for all our children. Tioga County finalized three adoptions this year to date. Tioga has seven children freed for adoption, six placed with adoptive homes and one of those youth is awaiting a match with a forever family. Every child in America and Tioga County deserves a permanent, loving forever family and home; and

WHEREAS: Tioga County adoptive families serve as a source of love, identity, self-esteem, and support for children freed for adoption in Tioga County; and

WHEREAS: Tioga County adoptive families provide a safe and stable home and a nurturing environment where children freed for adoption have the opportunity to live full and productive lives; and

WHEREAS: Accepting responsibility for the care of these children has proven to be very rewarding for many adoptive parents; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children freed for adoption, and the enduring and valuable contribution of adoptive families; and

WHEREAS: It is appropriate to recognize all those in Tioga County who work together on behalf of children freed for adoption; the adoptive families and the professional staff dedicated to ensuring these children become members of a stable and loving family; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim November as:

ADOPTION AWARENESS MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to recognize adoptive families in Tioga County.

Chair Sauerbrey reported we have one person for privilege of the floor.

Thomas Gallagher spoke. "Good afternoon, my name is Thomas Gallagher and I reside in the Town of Binghamton. Thank you for having me here today. The reason for me being here today is to disclose my business. My business is part owned (50%) by my wife and it is an LLC known as TKGf Solutions, LLC and the DBA for this specific business is SafeDrive. We are in the business of DWI awareness, and we make DWI simulators and in this case, we submitted a quote to the STOP-DWI Program here in Tioga County."

Legislator Brown made a motion to approve the minutes of October 15 and 24, 2024, seconded by Legislator Monell and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 375-24 ADOPT LOCAL LAW NO. 2 OF 2024

WHEREAS: A public hearing was held on October 24, 2024 following due notice thereof to consider the adoption of Local Law Introductory No. B of 2024; A Local Law amending Local Law No. 1 of 1988 establishing a Schedule of Fees for permits issued by the Tioga County Department of Health, as amended by Local Law No. 1 of 1990, as amended by Local Law No. 3 of 1991, as amended by Local Law No. 8 of 1995, and as amended by Local Law No. 3 of 2002; and

WHEREAS: It is in the best interest of the residents of Tioga County to adopt such Local Law which will be Local Law No. 2 of 2024; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted:

County of Tioga County

Local Law No. 2 of the Year 2024.

A Local Law amending Local Law No. 1 of 1988 establishing a Schedule of Fees for permits issued by the Tioga County Department of Health, as amended by Local Law No. 1 of 1990, as amended by Local Law No. 3 of 1991, as amended by Local Law No. 8 of 1995, and as amended by Local Law No. 3 of 2002

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: FOOD SERVICE

Section 2, (l)(A)(1-4) Food Service is hereby amended to read as follows:

- | | |
|--|---------------------------------------|
| 1. Low Risk | \$135.00 |
| 2. Medium Risk | \$200.00 |
| 3. High Risk | \$215.00 |
| 4. Catering & Commissaries ONLY | \$200.00 |
| Add on to existing permit | \$ 50.00 |
| 5. Temporary Food: | |
| 1 Day | \$ 50.00 |
| 2-14 Days | \$ 80.00 |
| *Non-Profit | 0 to 50% of fee |
| 6. Vending Machine Site | \$175.00 |
| Per Machine | \$ 10.00/Machine |
| 7. Frozen Dessert Machine | \$ 25.00/Machine |
| 8. Plan Review | \$150.00 + Engineer fee if applicable |
| 9. Expedited Fee (Permit application received within 2 weeks of event) | \$ 25.00 - If able to complete |

SECTION 2: MOBILE HOME PARKS

Section 2 (I)(D)(1-2) Mobile Home Parks is hereby amended to read as follows:

- | | |
|----------------|---|
| 1. 5-25 sites | \$150.00 |
| 2. 26-74 sites | \$280.00 |
| 3. 75 + sites | \$450.00 |
| 4. Plan Review | \$ 40.00 per site + Engineer
fee if applicable |

SECTION 3: TEMPORARY RESIDENCES

Section 2, (I)(B)(1-3) Temporary Residences is hereby amended to read as follows:

Hotels/Motels/Cabin Colonies:

- | | |
|----------------|---|
| 1. 5-25 rooms | \$150.00 |
| 2. 26-74 rooms | \$275.00 |
| 3. 75 + rooms | \$400.00 |
| 4. Plan Review | \$ 40.00 per room + Engineer
fee if applicable |

SECTION 4: CAMPGROUND AND TRAVEL TRAILER PARKS

Section 2, (I)(C)(1-2) Campground and Travel Trailer Parks is hereby amended to read as follows:

- | | |
|----------------|--|
| 1. 5-49 sites | \$150.00 |
| 2. 50+ sites | \$200.00 |
| 3. Plan Review | \$40.00 per site + Engineer
fee if applicable |

SECTION 5: SWIMMING POOLS, BATHING BEACHES, SPAS, AND SPRAY GROUNDS

Swimming Pools, Bathing Beaches, Spas and Spray Grounds is hereby amended to read as follows:

- | | |
|--|--------------------------|
| 1. Swimming Pool/Bathing Beach /
Spa/ Spray Ground | \$200.00 for first |
| 2. More than 1 Pool/ Bathing
Beach/ Spa/ Spray Ground | \$150.00/each additional |

- 3. Plan Review \$100.00/each + Engineer fee

SECTION 6: SEPTIC/SEWAGE SYSTEM FEES

Septic/Sewage System Fees is hereby amended to read as follows:

- 1. New Install/Replacement System \$400.00 + Engineer fee
- 2. Repair or Extension \$150.00 + Engineer fee
- 3. Plan Review:
 - Individual Sewage Conventional \$175.00 + Engineer fee
 - Individual Sewage Alternative Design \$150.00 + Engineer fee

SECTION 7: WATER FEES

Water fees are hereby amended to read as follows:

- 1. Individual Water Supply Permit \$60.00
- 2. Annual Surveillance Water Sample \$60.00
- 3. Annual Public Water User Fee
 - Community less than 1,000 \$150.00
 - Community 1,000 or greater \$300.00
 - Non-Community \$125.00
 - Bottled, Bulk, Ice, Dispensary \$150.00
- 4. Plan Review: Water Community
 - Source/Treatment \$ 75.00 + Engineer fee
 - Distribution \$ 75.00 + Engineer fee
- 5. Plan Review: Non-Community \$200.00 + Engineer fee

SECTION 8: RECORDS SEARCH/REQUESTS

Records Search/Requests are hereby amended to read as follows:

- | | |
|------------------------------------|-------------------|
| 1. FOIL Requests | \$ 0.25 per page |
| 2. Environmental Audit Requests | \$100.00 per hour |
| 3. Hazardous Material Site Request | \$100.00 per hour |
| 4. Rabies Records Search | \$ 6.00 per copy |

SECTION 9: MISCELLANEOUS FEES

Miscellaneous Fees are hereby amended to read as follows:

- | | |
|---|--|
| 1. Mass Gathering (>5,000 people) | |
| Under 25,000 people | \$ 25,000.00 |
| 25,000-50,000 people | \$ 50,000.00 |
| Over 50,000 people | \$100,000.00 |
| Plan Review | \$ 1,000.00 + Engineer fee |
| 2. Agricultural Fairgrounds | \$ 225.00 + Engineer fee if applicable |
| 3. Children's Camps | \$ 275.00 + Engineer fee if applicable |
| 4. Tanning | New York State Established Rate |
| 5. Migrant/Farmworker Camp | \$ 200.00 + Engineer fee if applicable |
| 6. Plan Review-Realty Subdivision | \$ 125.00 + Engineer fee |
| 7. Petroleum Product Spill Registration | \$ 100.00 per hour |
| 8. Lead Investigation Fee | \$ 100.00 per hour |

SECTION 10: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any court or agency of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase,

paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 11: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State but not before January 1, 2025.

Legislator Standinger spoke. "I am on the Board of Health, and I know that the members of the Board of Health reviewed these fees with the staff. I am comfortable that this is a good local law as far as the fees are concerned. They are pretty much in line with New York State."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 376-24 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 377-24 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2024 to September 30, 2024 be and it hereby is accepted; and be it further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 25,948.56
Berkshire (Town)	8,437.69
Candor (Town)	24,840.22
Candor (Village)	3,025.21
Newark Valley (Town)	8,092.90
Newark Valley (Village)	3,063.92
Nichols (Town)	10,521.23
Nichols (Village)	1,271.61
Owego (Town)	89,178.07
Owego (Village)	25,931.18
Richford (Town)	4,574.45
Spencer (Town)	6,553.66
Spencer (Village)	995.64
Tioga (Town)	14,177.05
Waverly (Village)	<u>25,803.81</u>
	\$252,415.20

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 378-24 *ACCEPTANCE OF THE APPLICATION FOR
KENNETH COLEMAN TO THE
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Office of Emergency Services provides high quality HAZ-MAT Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Kenneth Coleman has applied for membership to the County HAZ-MAT Team; and

WHEREAS: Kenneth Coleman, currently possesses training and skills needed by the Tioga County HAZ-MAT Team to work on the Team; therefore be it

RESOLVED: That Kenneth Coleman be added to the Tioga County HAZ-MAT Team.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 379-24 *REAPPOINT STUART YETTER TO THE
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD*

WHEREAS: Stuart Yetter's position as a Board Member to the Tioga County Property Development Corporation (TCPDC) expires on 12/31/24; and

WHEREAS: Stuart Yetter is willing and able to continue to serve another two-year term in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Stuart Yetter to the Tioga County Property Development Corporation Board as a Board Member for another two-year term of 1/1/25 – 12/31/26.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 380-24 *DESIGNATE COUNTY PLANNING DIRECTOR AS
AUTHORIZED ORGANIZATION REPRESENTATIVE FOR
EPA BROWNFIELD COMMUNITYWIDE ASSESSMENT
GRANT APPLICATION – ECONOMIC DEVELOPMENT
& PLANNING*

WHEREAS: Tioga County Resolution No. 348-24 authorized the Department of Economic Development & Planning to apply for an Environmental Protection Agency (EPA) Brownfield Communitywide Assessment grant; and

WHEREAS: The EPA requires that an Authorized Organization Representative (AOR) be named on the federal grant application paperwork, although signatures are not required until the grant is awarded and accepted; and

WHEREAS: The AOR for grant application purposes should be an administrative worker who will manage the grant project if awarded; and

WHEREAS: Elaine Jardine, County Planning Director, will be the staff person who will be managing this grant project and performing associated grant administration if awarded and accepted; therefore be it

RESOLVED: That the Tioga County Legislature hereby designates Elaine Jardine, County Planning Director, as the Authorized Organization Representative for purposes of the EPA Brownfield Communitywide Assessment Grant application only.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 381-24 *ADMINISTRATIVE SUPPORT PROVIDED TO TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION*

WHEREAS: Per Resolution No. 145-24 Brittany Woodburn was appointed Director of Economic Development and Planning (ED&P) as of May 6, 2024; and

WHEREAS: Due to the increase in responsibilities in this new position, Brittany Woodburn finds it necessary to step down from her position as Executive Director of the Tioga County Property Development Corporation (TCPDC); and

WHEREAS: Per Resolution No. 517-23, the Administrative Services Agreement dated 1/1/2024 – 12/31/25 between TCPDC and Tioga County, states that the County will provide administrative services, office space and equipment to the TCPDC, necessary for the performance of TCPDC Executive Director duties through the ED&P Department, of which the TCPDC provides payment to ED&P for said services; and

WHEREAS: Per Resolution No. 370-24, Sara Zubalsky-Peer was appointed Economic Development Specialist in the ED&P Department as of November 4, 2024; and

WHEREAS: Sara Zubalsky-Peer is willing and able to provide administrative support to the TCPDC as part of her position; and

WHEREAS: The Economic Development Specialist job description has been revised and approved by Personnel to include administrative support to the TCPDC as assigned; therefore be it

RESOLVED: That Sara Zubalsky-Peer, upon hire date, November 4, 2024, begin providing administrative support to the Tioga County Property Development Corporation.

Legislator Mullen spoke. "First, I want to say what a tremendous job Brittany Woodburn has done in this position. She is giving up this role as she is the new Director of Economic Development & Planning. It is through Brittany's leadership and forward thinking that the County's Land Bank is very successful, and Brittany should be commended for her hard work and the work that she has done for us. I know that she will make sure that the good work continues."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 382-24 *APPROVE TECHNICAL ASSISTANCE
PROVIDED BY ED&P STAFF*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Economic Development and Planning staff provided technical assistance for the following:

Organization	Source	Amount	Purpose
Owego Apalachin School District	ARC Infrastructure Investment & Jobs Act	\$1M	Build out former Maintenance Bldg for BT BOCES/OA CTE Programs

And

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided as noted above.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 383-24 *AUTHORIZE RENEWAL AGREEMENT WITH EXCELLUS BLUE CROSS BLUE SHIELD TO ADMINISTER HEALTH INSURANCE BENEFITS*

WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for Tioga County; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York has submitted a renewal agreement to administer fully insured benefits for Tioga County employees for the period of January 1, 2025 through December 31, 2025; and

WHEREAS: These are contractual benefits for Tioga County union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign the renewal agreement with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 384-24 *AUTHORIZE RENEWAL CSEA EBF MEMBER PLUS*

WHEREAS: Tioga County uses the service of the CSEA Benefit Fund to administer vision and dental plans for CSEA and Management Confidential employees, now named CSEA EBF Member Plus; and

WHEREAS: These are contractual benefits for the CSEA Unit; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized, if needed, to sign a renewal, subject to review by the County Attorney, with CSEA EBF Member Plus for the purpose of facilitating the dental and vision plans for the period of January 1, 2025 – December 31, 2027.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 385-24 *AUTHORIZE RENEWAL WITH
LIFETIME BENEFIT SOLUTIONS, INC.
TO ADMINISTER FLEXIBLE SPENDING AND
HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Chair of Legislature is hereby authorized, if needed, to sign a renewal agreement with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2025 through December 31, 2025; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 386-24 *RESOLUTION TO CONTRACT WITH
NATIONAL TEST SYSTEMS FOR
INSTANT URINE TESTS AND LAB TESTING*

WHEREAS: Tioga County Probation needs to purchase instant urine testing products and lab services to provide confirmed test results for defendants and respondents court ordered to submit to substance abuse testing; and

WHEREAS: Tioga County Probation has obtained three estimates for the purchase of instant urine testing products as follows:

1. Premier Biotech- \$3.60 each for 12 panel test
(AMP/BAR/BUP/BZO/COC/MDMA/MET/MTD/OPI/OXY/PCP/THC).
Lab testing \$19.95 per analyte plus \$15.00 shipping per shipment per bag
2. Drug Tests in Bulk \$3.50 each for 16 panel test
(AMP/BAR/BUP/BZO/COC/ETG/FEN/K2/MET/MDMA/MTD/OPI/PCP/THC/TRA)—
only supply cups, no lab testing
3. National Test Systems \$3.60 each for 12 panel test plus adulterant test
(COC/THC/MOP/AMP/MET/BZO/MTD/OXY/MDMA/BUP/FEN/ETG)

And

WHEREAS: The cost to purchase testing supplies from National Test Systems is less expensive and more expeditious for Probation's testing program; and

WHEREAS: Tioga County Probation has been using National Test Systems for their lab services and purchasing their urine samples. Confirmation with pricing as follows:

Class I Drugs: (AMP/MET/MDMA/THC/COC/BAR/MTD/PCP):	\$17.00/ drug
Class II Drugs: (OPI/OXY/6MAM/BZO/BUP/FYL/GABA/KRA/TRAM):	\$24.00/ drug
Class III Drugs: (K2/SPICE):	\$44.00/ drug

Therefore be it

RESOLVED: That the Tioga County Probation Director is approved to contract with National Test Systems to purchase instant testing supplies and lab services from November 1, 2024 to October 31, 2027, if the contract is approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 387-24 *RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA CO. PROBATION DEPT. & THE FAMILY AND CHILDREN'S COUNSELING SERVICES TO PROVIDE ADULT & JUVENILE SEXUAL OFFENDER ASSESSMENT AND TREATMENT SERVICES IN THE JOURNEY PROJECT*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2024; and

WHEREAS: The Family and Children's Society contract with Tioga County Probation provides for a total of 21 sexual offender slots as follows: 15 adult assessment and treatment slots; 10 adult safety monitor education slots; 6 juvenile offender assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; therefore be it

RESOLVED: That the Probation Director is approved to contract in 2025 with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingier

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ITCS COMMITTEE

RESOLUTION NO. 388-24 *AUTHORIZE AGREEMENT ADDENDUM WITH
NEW YORK STATE INFORMATION TECHNOLOGY
SERVICES FOR ENDPOINT DETECTION AND
RESPONSE SOFTWARE*

WHEREAS: New York State Information Technology Services has partnered with the New York State Division of Homeland Security and Emergency Services and the City of New York Joint Security Operations Center (JSOC) in a JSOC Initiative; and

WHEREAS: This initiative provides for Participating Entities to receive Endpoint Detection and Response software at no cost; and

WHEREAS: The initial term of this agreement shall be for a period of three (3) years and will be automatically renewed for additional twelve (12) month terms based upon approval of funding in the NYS budget and approval of the NYS Office of the State Comptroller; and

WHEREAS: The Endpoint Detection and Response software vendor provided in the initiative is CrowdStrike; and

WHEREAS: The CrowdStrike Endpoint Detection and Response software can be run in parallel with existing cyber security software employed by Tioga County; and

WHEREAS: The Tioga County Legislature authorized the agreement with New York State Information Technology Services for this endpoint detection and response software via Resolution No. 66-23; and

WHEREAS: New York State Information Technology Services has provided an addendum which presents the dollar value associated with the provisioned EDR software to Tioga County which is \$93,125.28 which is provided at no cost to the County; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute the Intergovernmental Agreement for the Provision of Endpoint Protection Response Services Addendum Number 1 between Tioga County and New York State Information Technology Services and New York State Division of Homeland Security and Emergency Services upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingier

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 389-24 *SEEKING LEGISLATIVE APPROVAL TO BE ALLOWED
TO EXCEED THE TIOGA COUNTY FOOD &
BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Economic Development and Planning (TCEDP) Community Development Specialist is partnering with SUNY Broome to coordinate 32 Manufacturing Day tours for Broome and Tioga County school districts; and

WHEREAS: Advanced Manufacturing is identified as a target industry for workforce development in the 2020-2025 Tioga County Workforce Development Strategy; and

WHEREAS: The 32 Manufacturing Day tours will be attended by over 300 students from 15 school districts; and

WHEREAS: The Manufacturing Day tours will be held between October 8, 2024, and November 14, 2024; and

WHEREAS: Each school is invited to tour SUNY Broome's advanced manufacturing facilities to promote continued education in Advanced Manufacturing and lunch will be provided on campus; and

WHEREAS: The food and beverage expenses will not exceed \$2,000.00; and

WHEREAS: Tioga County Policy Section III, Financial Rules, Subsection H, Purchase of Food and Beverage Policy limits the expense to \$150.00; and

WHEREAS: All expenses for this initiative by the Community Development Specialist will be reimbursed by grant funds from the Appalachian Regional Commission; therefore be it

RESOLVED: That the Tioga County Legislature hereby allows the TCEDP Community Development Specialist to exceed the County policy to conduct the Manufacturing Day tours and provide food and beverages not to exceed \$2,000.00.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 390-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following events in December, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

Wreath Making Class, 12/1 (MHO Grant) - \$400

Onward Ops @ Ft. Drum (ETSSP Grant), 12/9-12/12 - \$750.00

Army/Navy Game Watch Party (ARPA Grant), 12/14 - \$2,500

Grocery Giveaway (MHO Grant), 12/17 - \$1,000

Cookie/Gingerbread House Decorating (MHO Grant), 12/20 - \$500

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 391-24 *AUTHORIZE ACCEPTANCE OF 2024-2025
NYS STOP-DWI HIGH VISIBILITY
ENGAGEMENT GRANT AND
APPROPRIATION OF FUNDS
STOP-DWI*

WHEREAS: The NYS STOP-DWI Foundation Board has awarded a High Visibility Engagement grant of \$24,500 to Tioga County STOP-DWI; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2024-2025 NYS STOP-DWI High Visibility Engagement grant be appropriated as follows:

FROM: A3315-445890-CRK24 Federal Aid-Other Transp \$24,500

TO: A3315-540590-CRK24 Services Rendered-STOP DWI \$24,500

And be it further

RESOLVED: That appropriation be re-established for the remaining unspent balance as of year-end until the project is completed.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 392-24 *MODIFY 2024 BUDGET AND APPROPRIATE
STOP DWI RESERVE FUNDS FOR SIMULATOR
EQUIPMENT*

WHEREAS: The Tioga County Sheriff's Office received one-time STOP DWI funding in the amount of \$16,500 in 2023 which was receipted to A3315 433890 State Aid-Other Public Safety; and

WHEREAS: The funds being unspent at year end 2023 were added to the STOP DWI Reserve A 388900; and

WHEREAS: The Tioga County Sheriff's Office is requesting funds be made available and appropriated to A3315 520130 Equipment (Not Car) for the purchase of DWI Simulator Equipment as allowed by the STOP DWI program; and

WHEREAS: Legislative approval is needed to modify the 2024 budget and for the appropriation of funds out of a reserve; therefore be it

RESOLVED: That the 2024 budget be modified and funds be appropriated out of a general fund reserve as follows:

FROM:

A 388900	RESERVE STOP DWI	\$16,500
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TO:

A3315.520130	Equipment (not Car)	\$16,500
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ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
	FINANCE/LEGAL COMMITTEE
	LEGISLATIVE WORKSESSION

RESOLUTION NO. 393-24	<i>AWARD CONTRACT FOR DRIVING SIMULATOR STOP-DWI</i>
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WHEREAS: Tioga County STOP-DWI received a one-time grant in the amount of \$16,500 to educate the public on the dangers of distracted and impaired driving; and

WHEREAS: It was identified that a driving simulator was a suitable use for this funding; and

WHEREAS: The lowest quote received was from SafeDrive in the amount of \$14,950; and

WHEREAS: Legislative approval is required for all contracts over \$10,000; therefore be it

RESOLVED: That the Tioga Legislature authorizes the Chair of the Legislature to execute a contract with SafeDrive to purchase a Driving Simulator in the amount of \$14,950.

Legislator Standing spoke. "I will preface my comments that there is nothing personal here against the vendor. Although it does not violate the County

policy, it certainly has the appearance of a violation. So, on principle, I am going to vote no."

Legislator Flesher spoke. "I would also like to speak to that. Agreeing with Legislator Standinger, we took a long time discussing this and looking at all the facets to make sure that this is appropriate not only with the expenditure of the money but treating employees fairly as well. This included contacting the Comptroller's Office and speaking with one of their supervisory attorneys and they came to the same conclusion that there is an interest because the employee owns a company, but it is not a prohibitive interest, and we would be free to award the contract to them as far as Article 18 of the General Municipal Law. Looking at all the facts, it is in my opinion that we do not want to punish employees for being entrepreneurs and if we have the ability to do business with them fairly then we should take it."

Legislator Mullen spoke. "I would like to add to both of these comments. I think it is important and imperative that the Legislature continue the work of developing a cohesive and complete plan of any outside employment or business ventures of any of our employees, so that we have a clear stance with any further bidding process that comes up. I am going to vote yes because it was cleared by the Comptroller's Office. I think that in the future we need to understand that especially when you are in the role of a public servant everything needs to be above board and out there. I thank Sergeant Gallagher for coming today and being up front and honest with us about the ownership of the company. I do think we need to do further work on this to make sure that we do not have to jump through these hoops again."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey

No – Legislator Standinger

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 395-24 *AUTHORIZE ACCEPTANCE OF
2024 HOMELAND SECURITY GRANT (SHSP24) AND
APPROPRIATION OF FUNDS
OFFICE OF EMERGENCY SERVICES
SHERIFF'S OFFICE*

WHEREAS: The New York State Office of Homeland Security Program (SHSP) and Federal Emergency Management Agency (FEMA) has awarded a grant in the amount of \$59,750 to the Tioga County Office of Emergency Services; and

WHEREAS: 65% (\$38,837) of said grant will be appropriated to the Office of Emergency Services and 35% (\$20,913) will be appropriated to the Sheriff's Office; and

WHEREAS: Appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award and that the 2024 budget be modified and funds appropriated as follows:

<u>FROM:</u>	A3360.443050.SHS24	Fed-Aid-Civil Defense-SHS24	\$38,837
<u>TO:</u>	A3360.520130.SHS24	Equipment (not Car)	\$26,837
	A3360.540140.SHS24	Contracting Services	\$12,000
<u>FROM:</u>	A3361.443050.SHS24	Fed-Aid-Civil Defense-DHSES	\$20,913
<u>TO:</u>	A3110.510030	Sheriff Overtime	\$ 4,000
	A3360.520130.SHS24	Equipment (not Car)	\$16,913

And be it further

RESOLVED: That the remaining balance at year end be carried forward into the next budget year.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 396-24 *AUTHORIZE ACCEPTANCE OF EMERGENCY
MANAGEMENT PLANNING GRANT (EMPG24) AND
APPROPRIATION OF FUNDS
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$22,058 by the New York State Division of Homeland Security (NYS DHS) and Federal Emergency Management Agency (FEMA); and

WHEREAS: The matching grant will be used to offset \$22,058 of budgeted salary costs; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award in the amount of \$22,058 and the appropriation to account A3640.443050.EMP24 Federal Aid-Civil Defense; and be it further

RESOLVED: That appropriation be re-established for the remaining unspent balance as of year end until the project is completed.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 397-24 *APPROPRIATION OF FUNDS
AUTHORIZE THE ACCEPTANCE OF THE
FY2023 DOMESTIC TERRORISM
PREVENTION GRANT
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Emergency Services applied for and was awarded a FY2023 Domestic Terrorism Prevention Grant in the amount of \$172,413 to prevent targeted violence and domestic terrorism; and

WHEREAS: The funding will be utilized for the development of comprehensive domestic terrorism plans utilizing Threat Assessment and Management (TAM) teams; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award and authorizes the Chair of the County Legislature to sign any and all grant related paperwork upon review of the County Attorney; and be it further

RESOLVED: That the 2024 budget be appropriated as follows:

FROM: A3360 433060 DT23 State Aid Homeland Security \$172,413

TO: A3360 540140 DT23 Contracting Services \$172,413

And be it further

RESOLVED: That appropriation be re-established for the remaining unspent balance as of year-end until the project is completed.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 398-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID OR REIMBURSEMENT FROM BRIDGE NY FUNDS*

WHEREAS: A project for the Brown Road over East Branch Owego Creek (BIN 3335290) Bridge Replacement (BNY23) in the Town of Newark Valley, County of Tioga, PIN 9755.98 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB.L.117-58 also known as the “Bipartisan Infrastructure Law” (BIL); and

WHEREAS: The County of Tioga will design, let, and construct the Project; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the Preliminary Engineering/Design and Right-of-Way Incidentals work for the Project or portions thereof.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVE: That the Tioga County Legislature hereby approves the Project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay 100% of the costs of the Preliminary Engineering/Design and Right-of-Way Incidentals work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid or reimbursement from Bridge NY funds; and it is further

RESOLVED: That the sum of \$344,000.00 is hereby appropriated from account H5110.540004.H2405 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the Project which exceed the amount of

federal-aid, state-aid, or Bridge NY Funding awarded to the County of Tioga; and it is further

RESOLVED: That in the event the Project costs not covered by federal-aid, state-aid, or Bridge NY Funding exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Responsible Local Official of the County of Tioga; and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute on behalf of the County of Tioga all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED: That this Resolution shall take effect immediately.

Legislator Flesher spoke. "I would like to thank Commissioner of Public Works Gary Hammond for having this bridge and the funding in the pipeline for the last few years. Coming from northern Tioga, that is a very important bridge to a lot of the residents up there, so much appreciated."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 399 -24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID OR REIMBURSEMENT FROM BRIDGE NY FUNDS*

WHEREAS: A project for the Halsey Valley Road over Unnamed Creek Culvert Replacement (BNY23) in the Town of Tioga, County of Tioga, PIN 9755.99 (the Project) is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS: The County of Tioga will design, let, and administer all phases of the Project; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the Preliminary Engineering/Design, Right-of-Way Incidentals, Right-of-Way Acquisitions and Construction and Construction Supervision and Inspection work for the Project or portions thereof.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the Project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay 100% of the costs of the Preliminary Engineering/Design, Right-of-Way Incidentals, Right-of-Way Acquisitions and Construction and Construction Supervision and Inspection work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY Funding; and it is further

RESOLVED: That the sum of \$1,515,465.00 is hereby appropriated from account H5110.540004.H2404 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the Project which exceed the amount of the reimbursement available from Bridge NY Funding awarded to the County of Tioga; and it is further

RESOLVED: That in the event the costs of the Project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Responsible Local Official of the County of Tioga; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY Funding on behalf of the County of Tioga in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs; and it is further

RESOLVED: That the County of Tioga will be responsible for all maintenance of the Project; and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 400-24 AMEND RESOLUTION NOS. 385-90, 358-95, 102-00, 292-04, 150-07, 345-09, 218-15 AND 96-17
 AMENDING FEES
 OFFICE OF REAL PROPERTY TAX SERVICES

WHEREAS: Resolution Nos. 385-90, 358-95, 102-00, 292-04, 150-07, 345-09, 218-15, and 96-17 established and modified schedules of charges; and

WHEREAS: The Tioga County Office of Real Property Tax Services has noted inconsistencies and outdated information in the most recent resolution amending administrative fees; and

WHEREAS: There have been changes in national escrow companies, changes in school tax bill printing processes, and changes in tax map printing processes; and

WHEREAS: The cost of supplies and services have increased; and

WHEREAS: The Tioga County Office of Real Property Tax Services has recommended that the fee schedules be revised and established for new services; therefore be it

RESOLVED: That Resolution Nos. 385-90, 358-95, 102-00, 292-04, 150-07, 345-09, 218-15, and 96-17 be hereby amended and that the fees for Real Property Administrative services be and hereby are established and modified as follows effective as of 01/01/2025:

School District and Village Tax Rolls and Bills

Setup and run tax roll, provide RPS and PDF files	
on CD or via email	150.00
Enter relievis into tax roll	25.00
Print tax roll and totals, per page	.50
Setup and print tax bills, per bill	.65

Tax Map Printing

Tax map without imagery (including section tax maps)	
8 ½ X 11	2.00

WHEREAS: The Tioga County Youth Board has reviewed 2025 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year October 1, 2024 – September 30, 2025 be approved by the Tioga County Legislature in the amounts indicated:

Catholic Charities	\$ 8,029
Kali's Klub House 7 Keys to Success	\$ 5,000
Lions Camp Badger	\$10,300
Northern Tioga Summer Recreation	\$ 2,350
Spencer-VanEtten PAVE	\$ 2,475
Ti-Ahwaga Community Players	\$ 5,000
Tioga County Council on the Arts	\$ 5,500
Town of Owego Summer Recreation	\$ 7,000
Tioga County Youth Bureau dues (required)	\$ 100
Total Youth Development Program Funds	\$45,754

Lions Camp Badger	\$1,500
Northern Tioga Summer Recreation	\$4,650
Owego Apalachin Booster Club	\$3,850
Spencer-VanEtten Youth Association	\$5,000
Waverly Recreation	\$5,000
Total Youth Sports & Education Opportunity Funds	\$20,000

Hiawatha Soccer Association	\$18,812
Waverly Recreation	\$ 5,000
Total Youth Team Sports Funds	\$23,812

GRAND TOTAL	\$89,566
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And be it further

RESOLVED: That available funds on 12/31/24 of the original \$89,566 will be carried forward into the New Year.

Legislator Mullen spoke. "I just want to say again that I am very pleased to see some of the new additions of service providers that were granted funds. Commissioner of Social Services Shawn Yetter and his folks do a great job with this.

Being a father of a profoundly disabled child, the Lions Camp Badger and what they do there to give just a little bit of relief for parents of young adults with that level of disability, I am very glad that we can help them. I know Mr. Yetter holds this close to his heart that this stuff gets done. I really do appreciate reaching out to other organizations that provide services for our community and especially our youth. Thank you for your work on that this time around."

Legislator Standinger spoke. "Our youth are our future, and this is money well spent."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 402-24 AMEND 2024 CAPITAL BUDGET
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation (BRIDGE NY) consisting of State Aid Program funds for a project, Halsey Valley Road over Unnamed Creek Culvert Replacement PIN 9755.99; and

WHEREAS: The cost for Preliminary Engineering/Design, Right-of-Way Incidentals, Right-of-Way Acquisitions and Construction and Construction Supervision and Inspection work for this project is \$1,515,465.00, in which 100% of \$1,500,000.00 of the project will be State Funds reimbursed to Tioga County with a Local Share of \$15,465.00; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the following account(s) be established, and the 2024 Capital Budget be modified, and funds be appropriated to the following accounts:

H5110.540004.H2404	Halsey Valley Road over Unnamed Creek	\$1,515,465.00
H5110.435020.H2404	Halsey Valley Road over Unnamed Creek	\$1,500,000.00
H 390900	Unrestricted Fund Balance	\$15,465.00

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 403-24 AMEND 2024 CAPITAL BUDGET
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation (BRIDGE NY) consisting of Federal Aid Program funds for a project, Brown Road over East Branch Owego Creek (BIN 3335290) Bridge Replacement (BNY23) PIN 9755.98; and

WHEREAS: The cost for Preliminary Engineering/Design, and Right-of-Way Incidentals work for this project is \$344,000.00, in which 95% of \$344,000.00 of the project will be Federal Funds reimbursed to Tioga County with a Local Share of \$17,200.00; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the following account(s) be established, and the 2024 Capital Budget be modified, and funds be appropriated to the following accounts:

H5110.540004.H2405	Brown Road over East Branch Owego Creek	\$344,000.00
H5110.445020.H2405	Brown Road over East Branch Owego Creek	\$326,800.00

FROM: H1620 520911 M7674 56 Main Renovations \$37,500.00
TO: A8989 540140 M7674 Contracting Services \$37,500.00

Legislator Standinger spoke. I just want to say that the NYS DEC certainly had an obligation that they have not fulfilled. They identified that area as a brownfield and they failed to follow up with the testing. They removed the fence that kept people out and they definitely dropped the ball in my opinion. So, I am hoping that they recognize that and step up at minimum to reimburse the County for this expense and do their duty as they are obligated to do."

Legislator Mullen spoke. "I just want to say that I am absolutely pleased to see that we are addressing this very serious issue, and I will echo Legislator Standinger's comments. We should not have to spend this money, but we are doing it because it is what needs to be done for public health. The ground over there is contaminated and it is not necessarily a homeless issue. But that is contaminated ground, and people should not have been living on it. All the Departments from the Sheriff's Office, Public Health, Social Services, Mental Hygiene, and the Legislature itself worked diligently to get this done. It is good government. We are doing the right thing in a very difficult situation."

Chair Sauerbrey spoke. "I would like to give a big thanks to the Department of Public Health for leading the way to address this issue which was extremely complicated and still remains to be complicated. I also want to thank the Legislature for agreeing to put forth the funds to remove the debris that remains in this location and that this location will be cleaned up. However, it will still be a former biohazard area, and we hope that in the future we can resolve this issue and get the NYS DEC to put a fence around it and it can remain safe and uninhabited.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 405-24 *AWARD FOUNDRY STREET SITE CLEANUP
PUBLIC WORKS*

WHEREAS: The Tioga County Board of Health and the Public Health Director have deemed the property located at Foundry Street in the Village of Owego an Imminent Threat to Public Health; and

WHEREAS: A need to have this property cleaned up has been identified; and

WHEREAS: On October 25, 2024 the Department of Public Works received sealed bids from the following contractors:

F.P. Kane Construction, Inc., Vestal NY	\$ 37,500.00
Servpro of Broome County, Binghamton, NY	\$ 64,000.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, F.P. Kane Construction, Inc., Vestal NY not to exceed \$37,500.00 to be paid out of A8989 540140 M7674 Contracting Services.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Brown moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 406-24 *AUTHORIZE POSITION RECLASSIFICATION
DEPARTMENT OF MOTOR VEHICLES*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: On August 2, 2024, the Personnel Department received a New Position Duties Statement from Andrea Klett, Tioga County Clerk; and

WHEREAS: This resulted in the review of work currently performed by Joyce Costantini as Motor Vehicle Bureau Supervisor, CSEA Salary Grade XI; and

WHEREAS: Due to the type of work assigned to and performed by Joyce Costantini, the majority of which require management level skills, the Personnel Officer has determined that justification exists to reclassify the position of Motor Vehicle Bureau Supervisor to Assistant Deputy County Clerk (DMV), a Management/Confidential position; and

WHEREAS: The position of Assistant Deputy County Clerk (DMV) is pending jurisdictional classification, therefore the position is competitive until approved in another jurisdictional classification; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the reclassification of the position Motor Vehicles Bureau Supervisor to Assistant Deputy County Clerk (DMV); and that Joyce Costantini be appointed provisionally to Assistant Deputy County Clerk (DMV) pending successful completion of civil service examination requirements at an annual Management/Confidential salary of \$58,000, effective January 1, 2025.

Legislator Mullen spoke. "This was absolutely necessary to be done, and I am glad that we got this done. County Clerk Andrea Klett did a great job bringing this forward and it makes the running of the Department of Motor Vehicles much more of a smooth process."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 407-24 *ABOLISH (1) FULL-TIME UNFUNDED
ADMINISTRATIVE SECRETARY, CREATE (1) FULL-TIME
OFFICE SPECIALIST III, AND UNFUND (1) FULL-TIME
OFFICE SPECIALIST I
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for abolishing, create/filling and the unfunding of positions; and

WHEREAS: The Public Health Director has reviewed the staffing needs within the Tioga County Public Health Department (TCPH) and determined that an Office Specialist III position is needed without increase in headcount; and

WHEREAS: A current vacant and unfunded position exists within TCPH that can be abolished to maintain headcount; and

WHEREAS: Funding of the position is available in the TCPH budget; and

WHEREAS: TCPH plans to promote a current Office Specialist I (CSEA SG III) employee into the new Office Specialist III (CSEA SG VII) position, and upon their being permanent in the role, TCPH will unfund the Office Specialist I position; therefore be it

RESOLVED: That one (1) full-time unfunded position of Administrative Secretary (CSEA SG V) be abolished effective November 13, 2024; and be it further

RESOLVED: That one (1) full-time position of Office Specialist III (CSEA SG VII) be created effective November 18, 2024, in accordance with payroll requirements; and be it further

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 410-24 *STANDARD WORKDAY FOR ALL FULL-TIME TITLES AND PART-TIME TITLES THAT DO NOT HAVE FULL-TIME EQUIVALENT REPORTING RESOLUTION*

WHEREAS: The Office of the State Comptroller has requested that a standard workday be officially established for all full-time titles, and part-time titles that do not have a full-time equivalent, for Employees' Retirement System purposes; therefore be it

RESOLVED: That the County of Tioga, Location Code 10049, hereby establishes the following as standard workdays for all full-time titles, and those part-time titles that do not have a full-time equivalent, for the purpose of determining workdays reportable to the New York State Retirement System as follows:

Five-day work week, six-hour day:

Historian P/T

Five-day work week, seven-hour day:

1st Assistant County Attorney

1st Assistant District Attorney

2nd Assistant County Attorney

2nd Assistant District Attorney

3rd Assistant County Attorney P/T

3rd Assistant District Attorney

Account Clerk-Typist P/T

Accountant

Accounting Associate I

Accounting Associate II

Accounting Associate III

Accounting Supervisor
Accounting Supervisor Grade B
Acting County Director of Real Property Services
Administrative Assistant
Assigned Counsel Administrator P/T
Assistant Director of Administration Services
Assistant Engineer
Assistant Public Defender
Benefits Assistant
Benefits Manager
Benefits Manager Trainee
Billing Specialist
Case Supervisor Grade A
Case Supervisor Grade B
Caseworker
Certified Alcohol & Drug Counselor
Certified Instructor Coordinator P/T
Certified Lab Instructor P/T
Certified Peer Specialist
Chief Accountant
Chief Assistant District Attorney P/T
Chief Information Officer
Civil Law Clerk
Civil Manager
Civil Service Administrator
Civil Service Assistant
Civil Service Technician
Civil Service Technician Trainee

Clerk
Clerk (Seasonal)
Clerk to Tioga County Legislature
Clinical Program Director
Clinical Social Worker
Commissioner – Board of Elections
Commissioner of Public Works
Commissioner of Social Services
Communications & e-Services Coordinator
Community Development Specialist
Community Health Program Supervisor
Community Services Worker
Computer Programmer
Confidential Assistant
Coordinator of Child Support Enforcement
County Administrator
County Attorney
County Director of Real Property Services
County Planning Director
Data Entry Machine Operator
Data Officer
Dental Assistant P/T
Dental Health Coordinator
Dental Hygienist
Dentist P/T
Deputy Clerk to Tioga County Legislature
Deputy Commissioner of Elections Board
Deputy Commissioner of Public Works

Deputy Commissioner of Social Services
Deputy County Clerk
Deputy County Treasurer
Deputy Director of Community Services
Deputy Director of Economic Development
Deputy Director of Economic Development & Planning
Deputy Director Emergency Services
Deputy Director of Information Technology/Communications Systems
Deputy Director of Public Health
Director of Administrative Services
Director of Assets & Records Management
Director of Community Services
Director of Dental Health Services
Director of Economic Development & Planning
Director of Emergency Services
Director of Employment & Transitional Support
Director of Environmental Health
Director of Patient Services
Director of Social Services
Director of Veterans' Services Agency
Director of Weights & Measures I P/T
District Attorney Investigator P/T
Driver (Board of Elections) P/T
Early Intervention Service Coordinator
Economic Development Specialist
Education Workforce Coordinator
Election Clerk P/T
Election Inspector (Seasonal) P/T

Election Worker P/T
Employment & Training Counselor
Employment Center Supervisor
Engineering Technician
Executive Secretary
GIS Manager
GIS Technician
Information Security Officer P/T
Land Bank Director
Local Coordinator
Mail Clerk P/T
Medical Director Mental Hygiene
Mental Hygiene Compliance Officer
Motor Vehicle Examiner
Motor Vehicle License Clerk
Network Administrator
Office Specialist I
Office Specialist I (Seasonal)
Office Specialist II
Office Specialist III
Paralegal
Paralegal (Seasonal)
Payroll Clerk Typist
Payroll Supervisor
Peer Advocate
Personnel Officer
Principal Motor Vehicle License Clerk
Principal Social Welfare Examiner

Probation Assistant
Probation Director Group A
Probation Director II
Probation Officer
Probation Officer 1
Probation Officer 2/Senior Probation Officer
Probation Supervisor
Probation Supervisor 1
Public Defender
Public Health Director
Public Health Educator
Public Health Emergency Preparedness Coordinator
Public Health Nurse
Public Health Sanitarian
Public Health Technician
Real Property Tax Service Technician P/T
Recording Clerk
Records Management Clerk
Records Management Officer
Records Management Technician
Registered Professional Nurse P/T
Resource Assistant
Safety Officer
Secretary to 1st Assistant County Attorney
Secretary to Commissioner of Public Works
Secretary to Commissioner of Social Services
Secretary to County Attorney
Secretary to Director of Community Services

Secretary to Director of Probation
Secretary to District Attorney
Secretary to Economic Development & Planning
Secretary to Personnel Officer
Secretary to the Public Defender
Secretary to the Public Health Director
Secretary to the Sheriff
Senior Caseworker
Senior Caseworker RN
Senior Certified Alcohol & Drug Counselor
Senior Civil Service Technician
Senior Clerk
Senior Clinical Social Worker
Senior Clinical Social Worker (School/Community Based)
Senior Computer Maintenance Technician
Senior Early Intervention Service Coordinator
Senior Motor Vehicle License Clerk
Senior Payroll Clerk
Senior Probation Officer
Senior Public Health Educator
Senior Social Welfare Examiner
Senior Support Investigator
Skills Instructor P/T
Social Services Employment Specialist
Social Services Investigator
Social Welfare Examiner
Social Welfare Examiner (Seasonal)
Software Support Liaison

Supervising Certified Alcohol & Drug Counselor

Supervising Clinical Social Worker

Supervisor Motor Vehicle Bureau

Supervising Public Health Nurse

Supervising Public Health Sanitarian

Support Investigator

Sustainability Manager

Systems Administrator

Typist P/T

Veterans' Service Assistant

Veterans' Service Officer (35)

Victim Helper P/T

Voting Machine Technician P/T

Welfare Management Systems Assistant

Welfare Management Systems Coordinator

Youth Bureau Director P/T

Five-day work week, eight-hour day:

Automotive Mechanic II

Automotive Stock Clerk

Captain-Operations Officer

Chief Public Safety Dispatcher

Cleaner I

Cleaning Supervisor

Code Enforcement Officer P/T

Construction Inspector

Cook

Cook/Manager

Corrections Lieutenant

Corrections Officer
Corrections Sergeant
Deputy Sheriff
Director of Veterans' Service Agency (40)
GIS Technician (40)
Heavy Equipment Mechanic I
Heavy Equipment Operator I
Heavy Equipment Operator II
Heavy Equipment Operator III
Heavy Equipment Operator Site Leader
Heavy Mechanic Working Supervisor
Highway Worker (Seasonal)
Highway Working Supervisor
Investigator
Lead Maintenance Mechanic
Lieutenant
Maintenance Mechanic I
Maintenance Mechanic II
Maintenance Mechanic III
Mechanic/Working Supervisor
Motor Equipment Operator I
Motor Equipment Operator II
Motor Equipment Operator III
Public Safety Dispatcher
Public Safety Dispatcher Trainee
Senior Investigator
Sergeant-Sheriff
Sign Maintenance Worker

Technical Facility Supervisor

Undersheriff

Veterans' Service Officer (40)

Working Supervisor

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 411-24 *AMEND EMPLOYEE HANDBOOK:
SECTION X. BUILDING AND VEHICLE PROCEDURES;
SUBSECTION B. BUILDING OUTSIDE ENTITY USE*

WHEREAS: Tioga County's Employee Handbook Section X. Building and Vehicle Procedures; Subsection b. Building Outside Entity Use needs to be amended in its entirety to reflect the current protocol for using the County's designated facilities; therefore be it

RESOLVED: That the Building Outside Entity Use Policy be amended in its entirety and replaced as follows:

b. TIOGA COUNTY BUILDING OUTSIDE ENTITY USE POLICY
(FORMERLY POLICY #38)

TIOGA COUNTY BUILDING OUTSIDE ENTITY USE POLICY

- I. Use
- II. Designated County Facilities
- III. Authorized Entities
- IV. Application
- V. Hours of Availability
- VI. Rules and Regulations
- VII. Cancellation & Revocation

I. Use

Designated County facilities may be available for use by certain outside entities, subject to the rules and regulations set forth herein, when such use does not interfere with the use of the building by County government. For the purpose of this policy only, any lessee of Tioga County office space shall be considered "County government".

II. Designated County Facilities

The following County facilities are hereby designated as available for use:

1. The Legislative Conference Room, 56 Main Street, Owego, NY
2. The Hubbard Auditorium, 56 Main Street, Owego, NY
3. Such other County facilities may be designated by the Tioga County Legislature

III. Authorized Entities

The following outside entities are authorized to apply for use of the designated facilities:

1. Governmental entities, municipal corporations and school districts
2. Agencies or groups that do not operate for profit and that have an affiliation with Tioga County

IV. Application

Application for use of a designated County facility by an authorized entity shall be made in writing, on a County Application Form Application for use of Tioga County Facilities located on the County's Intranet "Employee Handbook-EH Forms" to the Clerk of the County Legislature. The application must be submitted at least ten (10) calendar days prior to the proposed event. Approval of an application is dependent upon the availability of the proposed room. Any Legislative or County Department shall have priority over any outside entity.

V. Hours of Availability

Designated County facilities shall be available for use during regular business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday.

VI. Rules and Regulations

1. County Facilities shall be used in accordance with these rules and regulations. By executing the application, the applicant agrees to comply with the rules and regulations set forth herein and shall be responsible to ensure compliance with the rules and regulations by those who attend the event.
2. The applicant agrees to use the County facility only for the use specified in the application. Under no circumstances may the County facility be used for any profit making or other commercial activity. Applicant further agrees that it will not permit the use of or allow anything to be done or anything to be

brought into or kept on the County facility for any unlawful purpose or in violation of any local, state or federal law or regulation.

3. The individual executing the application shall be the contact person for the applicant organization and shall be the person responsible for ensuring compliance with these rules and regulations. By executing the application, the individual represents to the County that the individual has the legal authority to execute the application on behalf of the applicant organization.
4. A Certificate of Insurance, naming Tioga County as Additional Insured, shall be submitted with the application. The applicant, at its own cost and expense, agrees to the insurance, indemnification and general terms and conditions set forth in the Tioga County, New York – General Contract and Insurance Specifications. The applicant may seek a waiver of this requirement from the Chair of the Legislature, which may be waived at the Chair's sole discretion.
5. The applicant shall leave the County facility in the same condition it was in prior to its use. All damages incurred as a result of the applicant's use of the County facility shall be the responsibility of the applicant.
6. The applicant's use is restricted to the designated County facility, access halls and the public bathroom on the same floor. Applicant is prohibited from using any other part of the building.
7. The applicant is prohibited from assigning its use of the designated facility to any other organization or individual.

VII. Cancellation and Revocation

1. The applicant must notify the Clerk at least two (2) business days prior to the scheduled use if he/she intends to cancel.
2. The Chair of the Legislature reserves the right to revoke the applicant's use of the County facility. The revocation shall be for good cause, with reasonable notice under the circumstances. What constitutes "good cause" shall be within the sole discretion of the Chair of the Legislature.

The meeting was adjourned at 12:42 p.m.

To whom it may concern,

Please accept this letter as written disclosure to Tioga County that I, along with my wife, Kerry Gallagher, recently entered a bid to produce a STOP DWI simulator to the Tioga County STOP DWI program. I have been an employee of Tioga County since 2011. Our company is TKGF Solutions LLC and the DBA for this specific company is SafeDrive.

My wife and I are the only owners, and we stand to gain financially from this contract if it were to be awarded.

Thank you for your consideration.

Sincerely,

Thomas Gallagher

A handwritten signature in black ink, appearing to read 'T. Gallagher', with a long horizontal flourish extending to the right.

Twelfth Regular Meeting
December 10, 2024

The Twelfth Regular Meeting of 2024 was held on December 10, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Monell, Mullen, Roberts, Sauerbrey, and Standinger were present with Legislator Fleisher being absent.

Chair Sauerbrey asked Legislator Ciotoli to have a moment of prayer. "Heavenly Father, thank you for allowing us to gather here today to do the work for the people of Tioga County and to have us congratulate our graduates from the Institute for Advancement."

Legislator Ciotoli led all Legislators and those in attendance in the Pledge of Allegiance.

There were 37 people in attendance.

Steve Palinosky spoke. "Good afternoon, ladies and gentlemen. On behalf of the committee for the Tioga County Institute for Advancement (I4A), welcome to today's event where we are recognizing the graduates of the Institute for Advancement Class 4. My name is Steve Palinosky, and I will be your MC.

"To begin today's program, I would like to ask the Chair of the Legislature, Martha Sauerbrey, to share some remarks."

Chair Sauerbrey spoke. "Thank you, Steve. Tioga County is growing future leaders and that is you. In 2018, the Tioga County Institute for Advancement Program kicked off with its opening session. Like this year, there were 19 employees who attended the first five classes that we held throughout the year.

The history is in 2016 with another colleague when I attended a New York State Association of Counties (NYSAC) conference and there we heard a presentation on leadership by Ontario County. We were so impressed with the sounds of the program that we decided to start a leadership or succession program here. Why? Because at that time we were very concerned about leadership retiring and leaving. The pending loss of historical knowledge and skillsets is a threat to the future and success of a government, and we wanted to help in every way we could to keep that knowledge. The Planning Committee followed the lead of Ontario County, but we created our own Tioga County specific classes intended to educate individuals to help them step into positions of leadership. Classes included Management Skills, Budgeting & Fiscal Skills, County Operational Procedures, Hiring, and Conflict Management.

“Since that time, we have developed the program significantly with more robust programming, which has turned out to be very effective and designed to empower and educate County staff.

“The goal of the Institute is to develop a program designed to build leadership skills, to provide technical information, and to prepare individuals for future opportunities within Tioga County Government.

“Thank you to the I4A Committee for the years of dedication and support of this program and for your creative ideas that have kept this program alive and well.

“To the graduates, thank you for your commitment and desire to improve and expand your skills and taking a chance on us.

“Congratulations on your completion of this program. Thank you.”

Steve Palinosky spoke. “Thank you, Chair Sauerbrey. At this time, we would like to express our appreciation to the Tioga County Legislature and the Department Heads for their continuing support of this program. I would like to acknowledge the members of the I4A Committee: Martha Sauerbrey, Katie Chandler, Bryan Goodrich, Elizabeth Myers, Linda Parke, Ellen Pratt, Jamie Wahls, Steve Palinosky, and our newest member, County Administrator Jackson Bailey. We want to give special thanks to the person who is the glue that holds the Committee together and keeps us on track, our amazing administrator, Linda Sampson.

“Now, to get to Class 4, we had to start with Class 1. Class 1 began in 2018 with 19 students. During that year the class attended several training sessions, including Tioga County Government 101, Management, Hiring, Performance Evaluations & Supervision, Civil Service, Conflict Management, Budget Preparation & Fiscal Skills, and Real Colors, where we learned about recognizing and working with different personality types.

“During 2019, graduates from Class 1 were offered the opportunity to attend additional training sessions, including additional Budget and Munis training, and Ethics in the Workplace.

“Class 2 began in 2020 with high hopes to continue to develop the program. We trained Real Colors in February, but then COVID arrived. We were able to pivot and embrace the technology of Zoom, and were able to train Strength-Based Communications, Tioga County Government 101, and Ethics in the Workplace. That class graduated in March 2021 and additional training sessions were offered that year to graduates of both Class 1 and 2.

“Class 3 begin in January 2022. They trained on Real Colors, Tioga County Government 101, Communication and Conflict Resolution, Ethics in the Workplace and two new classes: Civil Service taught by Linn Bruce, Civil Service Administrator, and Interdepartmental Collaboration taught by GIS Manager, Bryan Goodrich. Again, in the off year of 2023 several sessions were offered to all I4A attendees and were even extended to other County employees.

“Class 4 started this past February with Real Colors (and Real Solutions) which was held in the Town of Owego Shared Services Building. This was followed by Communication and Conflict Resolution, Civil Service 101, Interdepartmental Collaborations, Ethics in the Workplace, Stepping into Supervision, and just last week they learned How to Stress Less and Live More.

“It is our hope that this program will continue to improve and evolve, as we work to develop the future leaders of Tioga County. Stay tuned for information on next year’s sessions.

“Now, it is time to recognize the graduates from Class 4. First, we need to recognize Willetta Ryder from the County Clerk’s Office who is not with us today. Willetta had a bad fall last week and is currently hospitalized. The last update is that her condition is improving. Please keep Willetta in your thoughts and prayers and join us in wishing her a speedy recovery. For the remaining graduates, when your name is read, please come forward for your certificate, and remain up front for a group picture.”

Chair Sauerbrey spoke. “Before we proceed with the remainder of the meeting, I would like to welcome Ray Bunce who is the incoming Legislator who will be sworn in on January 2, 2025.

Chair Sauerbrey reported we have one Proclamation; **Centennial Year of the New York State Association of Counties (NYSAC)** that she will read. Proclamation will be mailed to NYSAC following today’s meeting.

Chair Sauerbrey spoke. “Before I read today’s proclamation, I would like to say that I am a fan of the New York State Association of Counties. They have been in business helping counties for 100 years.”

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: The New York State Association of Counties (NYSAC) was founded 100 years ago to serve as a unified voice and advocate for the 57 counties of New York State, including the five boroughs of New York City; and

WHEREAS: NYSAC has consistently worked to enhance the effectiveness of county governments through robust advocacy, comprehensive education, and meticulous research, all aimed at addressing the unique challenges faced by county officials and their constituents; and

WHEREAS: Over the past century, NYSAC has played an instrumental role in promoting the interests of county governments at the State and Federal levels, ensuring that the voices of local governments are heard and their needs addressed; and

WHEREAS: NYSAC has provided invaluable resources and training to county officials, empowering them with the knowledge and tools necessary to deliver efficient and effective services to the residents of New York State; and

WHEREAS: Through its commitment to research, NYSAC has fostered innovative solutions and best practices that have strengthened county operations and improved the quality of life for millions of New Yorkers; and

WHEREAS: NYSAC has built a legacy of collaboration and partnership among county governments, fostering a spirit of unity and mutual support that has been crucial to addressing common challenges and advancing shared goals; and

WHEREAS: The centennial anniversary of NYSAC is a momentous occasion to celebrate the Association's enduring dedication to public service and its profound impact on the governance and well-being of New York State's counties; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the year 2025 as the

CENTENNIAL YEAR OF THE NEW YORK STATE ASSOCIATION OF COUNTIES

and extend heartfelt congratulations and gratitude to NYSAC for 100 years of exemplary service and leadership.

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of November 12, 2024, seconded by Legislator Brown and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 412-24 *FIX TIME OF ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 a.m., Thursday, January 2, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 413-24 *APPOINT DIRECTORS
SOIL & WATER CONSERVATION DISTRICT*

RESOLVED: That Legislators W. Jake Brown and Tracy Monell are hereby appointed Directors of the Tioga County Soil & Water Conservation District for a one-year term on January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 414-24 APPOINT MEMBERS
FISH & WILDLIFE MANAGEMENT BOARD

WHEREAS: The Board terms for Elected Official Representative and Sportsman Member on the Fish & Wildlife Management Board will expire December 31, 2024; and

WHEREAS: W. Jake Brown, Tioga County Legislator, has expressed an interest in continuing to serve as the Elected Official Representative on the Fish & Wildlife Management Board; and

WHEREAS: William J. Woods, Jr. has expressed an interest in continuing to serve as the Sportsman Member on the Fish & Wildlife Management Board; therefore be it

RESOLVED: That W. Jake Brown, Tioga County Legislator, be re-appointed as the Elected Official Representative on the Fish & Wildlife Management Board for a two-year term of January 1, 2025 – December 31, 2026 and William J. Woods, Jr. be re-appointed as the Sportsman Member on the Fish & Wildlife Management Board for a two-year term of January 1, 2025 – December 31, 2026.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 415-24 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Pam Moore's position on the Tioga County Planning Board representing the Town of Nichols expires on 12/31/2024; and

WHEREAS: The Nichols Town Board has nominated Pam Moore to serve another three-year term as their representative, and she is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Pam Moore to the Tioga County Planning Board for another three-year term of 1/1/25 – 12/31/27.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 416-24 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: John Current's position on the Tioga County Planning Board representing the Town of Owego expires on 12/31/2024; and

WHEREAS: The Owego Town Board has nominated John Current to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints John Current to the Tioga County Planning Board for another three-year term of 1/1/25 – 12/31/27.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 417-24 *RE-APPOINT LESLEY PELOTTE TO THE
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD*

WHEREAS: Lesley Pelotte's position as a Board Member to the Tioga County Property Development Corporation (TCPDC) expires on 12/31/24; and

WHEREAS: Lesley Pelotte is willing and able to continue to serve another two-year term in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Lesley Pelotte to the Tioga County Property Development Corporation Board as a Board Member for another two-year term of 1/1/25 – 12/31/26.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 418-24 *RE-APPOINT JOSHUA WHITMORE TO THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: Joshua Whitmore's position as a Board Member to the Tioga County Property Development Corporation (TCPDC) expires on 12/31/24; and

WHEREAS: Joshua Whitmore is willing and able to continue to serve another three-year term in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Joshua Whitmore to the Tioga County Property Development Corporation Board as a Board Member for another three-year term of 1/1/25 – 12/31/27.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 419-24 *RE-APPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH*

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for James Raftis Jr., DO FACEP on the Board of Health expires 12/31/24; and

WHEREAS: The Board of Health recommends re-appointment and Dr. Raffis has agreed to serve for another term; therefore be it

RESOLVED: That James Raftis Jr., DO FACEP, be re-appointed to the Board of Health for a term of 1/1/25-12/31/30.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 420-24 RE-APPOINT MEMBER TO THE
TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for William Standinger III on the Board of Health expires 12/31/24; and

WHEREAS: Legislative representatives on the Board of Health serve only the length of their elected term; and

WHEREAS: William Standinger III has agreed to serve for another term; therefore be it

RESOLVED: That William Standinger III be re-appointed to the Board of Health for a term of 1/1/25-12/31/27.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 421-24 *OPPOSE PROVISIONS OF THE ACT RULE
PUBLIC WORKS*

WHEREAS: NYSDEC issued a “Limited Enforcement Discretion” to ACT and the Heavy-Duty Low Nox Omnibus Programs in October of this year that only provides temporary relief (MY2025 and MY2026) to truck manufacturers’ sales mandates and is limited to vehicles for snow plowing and street cleaning purposes, and does not address the larger issues of costs, charging infrastructure, supply of EV trucks in all classes and concerns about vehicle performance; therefore be it

RESOLVED: That Tioga County calls on the Governor, the NYS Department of Transportation (NYSDOT), NYS Department of Environmental Conservation (NYSDEC), NYSERDA, PSC, Commissioners and legislative leaders to commit to providing support for addressing these concerns in the regulatory and implementation process and to dedicate the funding necessary to fully cover the counties’ costs of complying with the State mandates under the CLCPA; and it is further

RESOLVED: That the Governor consider a pause or suspension of the implementation of ACT until there is strong evidence that the State has in place the necessary direct financial assistance and incentives and charging infrastructure necessary, and can definitively determine that vehicle manufacturers are prepared to effectively supply the New York market without disruption to the critical work needed to maintain the State’s vast and aging infrastructure; and it is further

RESOLVED: That the State recognize that highway construction, maintenance vehicles, and equipment are critical to governments' mission to maintain a safe and functional transportation system by designating these municipally owned vehicles and equipment as its own category among "transit buses, motor coaches, and emergency vehicles," and thus exempt from ACT regulation; and it is further

RESOLVED: That Tioga County shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, and the Commissioners of NYSDOT, NYSDEC, NYSERDA, PSC and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 422-24 *DESIGNATE RESPONSIBLE LOCAL OFFICIAL (RLO)
FOR EQUITABLE BUSINESS OPPORTUNITIES (EBO)
SOFTWARE PRIMARY LOG-IN HOLDER*

WHEREAS: Federally funded infrastructure projects require project sponsors to comply with procurement administrative processes to comply with civil rights requirements pertaining to federally and state funded projects; and

WHEREAS: NYS DOT requires that the Equitable Business Opportunities (EBO) software be used to track data for the projects; therefore be it

RESOLVED: That the Tioga County Legislature hereby designates the Commissioner of Public Works as the Responsible Local Official (RLO); and it is further

RESOLVED: That the Tioga County Legislature hereby designates the Commissioner of Public Works as the Primary Log-in Holder for the EBO system.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Monell, Mullen, Roberts, Sauerbrey, and Standing

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 423-24 *ADOPT COUNTY BUDGET FOR 2025,
APPROPRIATIONS AND SALARY SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2025 submitted by the County Administrator on November 12, 2024 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2025; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2025; and be it further

RESOLVED: That the full-time Salary Schedule 5 set forth in the budget be adopted January 1, 2025.

Legislator Mullen spoke. "I want to thank County Administrator Bailey and the Department Heads who helped put this budget together. Also, always thanks to Legislative Clerk Haskell for keeping us on track. Once again, the County has done a good job with the people's money, and I appreciate everyone's hard work in that endeavor."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standing, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 424-24 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 425-24 AUTHORIZE TREASURER TO ENCUMBER FUNDS

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 20, 2024 to allow proper coding of bills for payment through the Accounts Payable check run of February 20, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 426-24 *AUTHORIZE THE RE-ESTABLISHMENT OF
PRIOR YEAR 2024 GRANT FUNDS AND
CAPITAL PROJECTS FOR 2025*

WHEREAS: Grant Funds and Capital Project expenditures and revenue allocations have been approved via resolution; and

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2024 for purchase or completion in 2025; and

WHEREAS: Prior Year Capital Projects need to be re-established for the remaining unspent balance as of year-end 2024 for purchase or completion in 2025; therefore be it

RESOLVED: That the remaining unencumbered balances of active and approved Grants and Capital Projects be re-established.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 427-24 *TOWN TAX LEVY*

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2025; therefore be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situated in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	4,526.00	186,500.00
Newark Valley	-	-
Nichols	-	247,988.00
Owego	-	2,291,000.00
Spencer	18,263.00	406,887.00

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire Protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	21,404.45
Lockwood Fire Protection	50,101.64
Waverly Joint Fire Protection	366,993.00
Town of Berkshire	
Berkshire Fire District	210,296.27
Town of Candor	
Candor Fire District	477,697.00
Town of Newark Valley	
Newark Valley Fire District	337,742.39
Town of Nichols	
Nichols Joint Fire Protection	503,211.00

Town of Owego	
Apalachin Fire District	1,369,036.00
Owego Fire District	2,553,309.69
Newark Valley Fire District	49,290.11
Town of Richford	
Richford Fire District	325,900.00
Town of Spencer	
Spencer Fire Protection District	85,000.00
Town of Tioga	
Tioga Fire District	323,726.55

And be it further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	11,941.00
Water District No. 4/Ext. 15	-
Water District No. 4/Ext. 17	-
Water District No. 4/Ext. 20	-
Sewer District No. 2/Ext. 14	10,925.00
Sewer District No. 2/Ext. 15	11,580.00
Lighting District No. 1	1,000.00
Lighting District No. 2	3,000.00
Lighting District No. 3	1,500.00
Lighting District No. 4A	260.00
Lighting District No. 4B	1,000.00
Lighting District No. 5	1,000.00
Lighting District No. 6	3,400.00
Lighting District No. 7	845.00
Lighting District No. 8	600.00
Lighting District No. 9	250.00
Lighting District No. 10	350.00

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$389,208.58; and be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$2,974.00; and be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	281,800.00	692,620.00
Berkshire	113,480.00	357,898.00
Candor	1,093,946.00	780,750.00
Newark Valley	472,320.00	328,750.00
Nichols	-	-
Owego	1,290,000.00	-
Richford	256,180.00	506,260.00
Spencer	358,786.00	296,271.00
Tioga	285,000.00	690,000.00

And be it further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 428-24 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 423-24-24 dated December 10, 2024 adopted a Budget for the fiscal year 2025 and by Resolution No. 423-24 dated December 10, 2024 has made appropriations for the conduct of the County Government during said fiscal year and has by Resolution No. 427-24 dated December 10, 2024 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$ 26,887,599 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	566,657.55
For School Tax Returned	3,564,739.17
For Deficits from prior years' taxes	4.80
For Reimbursement of Erroneous taxes, etc.	13,528.78

All of the forgoing being subject to
 Credit for excess collection the prior year of 10.47

And be it further

RESOLVED: That the County Treasurer's Office be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 427-24 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Town Tax Districts of the County on or before December 31, 2024; and be it further

RESOLVED: That the County tax rates for each of the Towns are as follows:

Barton	Out	11.575705
	In	11.575705
Berkshire	Out	9.870141
Candor	Out	10.507850
	In	10.507850
Newark Valley	Out	14.902841
	In	14.902841
Nichols	Out	38.061468
	In	38.061468
Owego	Out	13.022140
	In	13.022140
Richford	Out	7.518196
Spencer	Out	8.838143
	In	8.838143
Tioga	Out	155.540493

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES COMMITTEE

RESOLUTION NO. 429-24 AMEND BUDGET & TRANSFER OF FUNDS
TREASURER'S OFFICE

WHEREAS: The cost of Community College has increased, along with an increase of enrollment numbers; and

WHEREAS: Additional funding is needed to meet mandated costs; and

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 431-24 APPROPRIATION OF FUNDS AND
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene has been allocated additional pass-through state aid funding for the purpose of Ongoing Integrated Supported Employment, Advocacy/Support Services, Family Peer Support Services, Outreach, Health Home Care Management, Drop-In Center, and Supported Housing; and

WHEREAS: Tioga County Mental Hygiene has contracted with Catholic Charities, AspireHopeNY, A New Hope Center, Tioga County Veterans' Service Agency, and Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: Tioga County Mental Hygiene will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: Appropriation of funds and Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310.434900	State Aid-Mental Health	\$18,788.00
To: A4311.540595	Services Rendered (Other)	\$ 550.00
To: A4320.540590	Services Rendered	\$ 4,777.00
To: A4321.540130	Contracts	\$ 681.00
To: A4321.540590	Services Rendered	\$ 174.00
To: A4333.540130	Contracts	\$12,606.00

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

RESOLVED: That any unspent funds are to be transferred back to the A1340.540721 HPCC account by the end of the Fiscal Year 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 433-24 *AMEND RESOLUTION NO. 395-24;
AUTHORIZE ACCEPTANCE OF
2024 HOMELAND SECURITY GRANT (SHSP24)
AND APPROPRIATION OF FUNDS
OFFICE OF EMERGENCY SERVICES
SHERIFF'S OFFICE*

WHEREAS: Resolution No. 395-24 appropriated funds from the SHSP24 Homeland Security Grant into an erroneous account number; and

WHEREAS: Appropriation of funds and budget modification requires Legislative approval; therefore be it

RESOLVED: That Resolution No. 395-24 be amended to appropriate funds to the correct account as listed below:

FROM:	A3361.433050.SHS24 Fed-Aid-Civil Defense-DHSES	\$20,913
TO:	A3110.510030 Sheriff Overtime	\$ 4,000
TO:	A3361.520130-SHS24 Equipment (not Car)	\$16,913

And be it further

RESOLVED: That the remaining balance at year end be carried forward into the next budget year.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 434-24 *AUTHORIZATION TO APPLY FOR GRANT
PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) has identified a grant opportunity to provide funding toward the Suicide Prevention Coalition; and

WHEREAS: County Policy requires Legislative approval for grant applications; and

WHEREAS: TCPH seeks approval from Tioga County Legislature to apply for the grant offered by the National Association of City and County Health Officials (NACCHO); and

WHEREAS: The amount of the grant funding is not yet determined, yet has a maximum award amount of \$45,000; and

WHEREAS: There will be no additional County cost for the grant (i.e. cash match) if awarded; and

WHEREAS: The timeframe from grant announcement and submittal deadline did not allow for an authorization resolution to be generated prior to applying, therefore TCPH is requesting retroactive authorization as allowed in the County Policy Grants Procedure (section 9); and

WHEREAS: If awarded the grant, TCPH will submit a resolution to amend budget and appropriate the funds at that time; and

WHEREAS: The Tioga County Legislature supports TCPH in pursuing funding to provide this program to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to NACCHO for up to \$45,000.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE /LEGAL COMMITTEE

RESOLUTION NO. 435-24 *MEMORANDUM OF UNDERSTANDING (MOU) WITH
BROOME COUNTY RADIO COMMUNICATIONS
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has identified a need to share infrastructure with Broome County to improve connectivity with radio communications; and

WHEREAS: Tioga County's IT Department is aware of this fiber connection between both counties, and this will benefit both counties and is in the best interest of the residents of Tioga County; and

WHEREAS: Tioga County Office of Emergency Services would pay one half of the leased commercial fiber connectivity fee, between Broome County and Onondaga County, from E911 Surcharge fund A3021.540320.E911, at an amount not to exceed \$4,194 a year; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Office of Emergency Services to enter into a Memorandum of Understanding (MOU) with Broome County for infrastructure sharing for the period January 1, 2025 through December 31, 2029; and be it further

RESOLVED: That the County Legislature authorizes the Chair of the Legislature to sign said Memorandum of Understanding (MOU) upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 436-24 *RESOLUTION TO RENEW CONSULTANT
CONTRACT FOR HAZARD MITIGATION PLAN
COORDINATOR FOR 2025*

WHEREAS: Per Resolution No. 193-12 and Resolution No. 218-13, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services based on a mutually agreeable work plan with specific tasks, requiring annual renewal as necessary; and

WHEREAS: The Tioga County Planning Department continues to lack existing capacity to solely perform these FEMA-required services; and

WHEREAS: Upon County Legislature approval of the 2025 county budget, the Tioga County Planning Department anticipates having sufficient funds in the 2025 budget to cover these expenses in an amount not to exceed \$20,000 from Planning Appropriation account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2025, not to exceed \$20,000 from Planning Appropriation account A8020 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 437-24 AUTHORIZATION TO SIGN CONTRACT
SOCIAL SERVICES

WHEREAS: Tioga County contracts with Steuben County for a detention bed due to a shortage of available Non-Secure Detention Services to meet the demand throughout New York State; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2025 through December 31, 2025 at an amount not to exceed \$239,075; therefore be it

RESOLVED: That the Tioga County Department of Department of Social Services is authorized to contract with Steuben County for one detention bed for a period of January 1, 2025 to December 31, 2025; and be it further

RESOLVED: That the Commissioner of Social Services is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 438-24 *AUTHORIZE CONTRACT WITH
A NEW HOPE CENTER
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with A New Hope Center to provide mandated Domestic Violence Services to residents of Tioga County; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2025 through December 31, 2025 in the amount of \$42,000; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with A New Hope Center for the provision of mandated Domestic Violence Services for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 439-24 *AUTHORIZE CONTRACT WITH
FAMILY AND CHILDREN'S SOCIETY
OF BROOME COUNTY, INC.*

WHEREAS: The Department of Social Services contracts with Family and Children's Society of Broome County, Inc. to provide clinical services to victims and perpetrators of sexual abuse and their families; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2025 through December 31, 2025 at an amount not to exceed \$43,000; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Family and Children's Society of Broome County, Inc. for the period January 1, 2025 through December 31, 2025 for an amount not to exceed \$43,000.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 440-24 *AUTHORIZE CONTRACT WITH GLOVE HOUSE
SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Glove House to provide In-Home Parenting Education Services; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2025 through December 31, 2025 in the amount of \$88,469; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Glove House for the provision of In-Home Parent Education Services for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 441-24 *AUTHORIZE CONTRACT WITH GLOVE HOUSE SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Glove House to provide Preventive Services to eligible families in the Waverly School District; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2025 through December 31, 2025 in the amount of \$79,484; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Glove House for the provision of Preventive Services for the period January 1, 2025 through December 31, 2025.

Legislator Mullen spoke. "This is a contract where we bring Social Services right into the schools in my Waverly district. In speaking with the Waverly School Superintendent, he is very pleased with how this is working."

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 442-24 *AUTHORIZE CONTRACT WITH INDUSTRIAL MEDICINE ASSOCIATES SOCIAL SERVICES*

WHEREAS: The Department of Social Services contracts with Industrial Medicine Associates to provide substance abuse assessments and monitoring program for Social Service recipients or applicants; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2025 through December 31, 2025 at the rate of \$318.15 per assessment and monitoring, \$48.20 no show fee and \$50.35 per urine drug screen; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Industrial Medicine Associates at the agreed upon rates for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 443-24	<i>AUTHORIZE CONTRACT WITH LIBERTY RESOURCES SOCIAL SERVICES</i>

WHEREAS: The Department of Social Services contracts with Liberty Resources for the Co-location and Collaboration of Behavioral Health and Child Protective Services; and

WHEREAS: The Department of Social Services wishes to renew the contract for January 1, 2025 through December 31, 2025; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Liberty Resources for the Co-location and Collaboration of Behavioral Health and Child Protective Services in the amount of \$76,172 for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 444-24 *AUTHORIZE CONTRACT WITH MULTIPLE AGENCIES
SOCIAL SERVICES*

WHEREAS: The Commissioner of Social Services of Tioga County is charged with the responsibility of the administration of all child welfare services in the County of Tioga pursuant to section 395 et seq. of Social Services law; and

WHEREAS: The Department of Social Services contracts with multiple foster care agencies to provide these services at Maximum State-Aid Rates; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with the agencies listed below for the period January 1, 2025 through December 31, 2025; and be it further

RESOLVED: That the Commissioner of Social Services is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

Together for Youth

Children's Home PKPS

Children's Home of Jeff County

Children's Home of Wyoming Conf.

Elmcrest Children's Center

Glove House-Group Home

Homespace Corp

House of the Good Shepherd

Hillside Children's Center

Lincoln Hall Boys Haven

New Directions Youth & Family Svcs

Parsons Parent & Children Center

St. Anne Institute

St. Catherine's Center

The LaSalle School

The William George Agency

Vanderhayden

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 445-24

*AUTHORIZE CONTRACT WITH
SECURITAS SECURITY SERVICES*

WHEREAS: The Tioga County Department of Social Services has a contract with Securitas to provide security services at the HHS complex; and

WHEREAS: The need for ongoing security exists at these locations; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Securitas to continue providing security services at the HHS complex effective as of January 1, 2025; and be it further

RESOLVED: That the Commissioner of Social Services is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 446-24 *AUTHORIZE CONTRACT WITH MRB GROUP FOR SOLAR BEST PRACTICES AND POLICIES UPDATE – ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: After a formal consultant RFP process and Tioga County Committee ranking, the Tioga County adopted Legislative Resolution No.19-22 authorizing Tioga County ED&P to contract with the consulting firm MRB Group to create a Municipal Best Practices and Policies Report that was completed and distributed to our municipalities in 2022; and

WHEREAS: While this Report has been very useful, municipalities and the County continue to experience on-going difficulties and challenges with solar projects such as a new state mandated calculation for assessment values which have resulted in reduced values of solar improvements, solar development companies grieving real property and fire taxes, creating acceptable PILOT agreements, creating solar local laws, and solar developers using immature landscaping as buffers, among others; and

WHEREAS: Tioga County EDP would like to contract with MRB Group as a sole source consulting firm providing professional services to develop this update to the 2022 Report addressing these current issues; and

WHEREAS: MRB Group has provided a proposal for this specific work at a cost of \$17,000; and

WHEREAS: Southern Tier Network has offered to provide six (6) dark fiber strands between the Tioga County Public Safety Building and the Tioga County Health and Human Services Building for zero cost to Tioga County; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute this agreement between Tioga County and Southern Tier Network for six (6) dark fiber strands between the Tioga County Public Safety Building and the Tioga County Health and Human Service Building, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 448-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON
CONTRACT FOR PROFESSIONAL SERVICES WITH
DELUGE MEDIA FOR PROMOTIONAL CONTENT*

WHEREAS: Tioga County Economic Development & Planning and Tioga County Sustainability would like to execute a contract with Deluge Media for professional services for public relations/social media content; and

WHEREAS: These professional services will be produced monthly from January 1, 2025 through December 31, 2025, for the total cost of \$11,208.64; and

WHEREAS: The invoice will be assigned as follows:

Tioga County Economic Development: \$2,968.18

Tioga County Planning: \$1,679.55

Tioga County Sustainability: \$6,560.91;

Therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Legislative Chair or their designee to enter into this agreement with Deluge Media as approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 449-24 *AUTHORIZING AND APPROVING RESOLVING CLAIMS RELATED TO THE OPIOID CRISIS*

WHEREAS: Tioga County has retained legal counsel through Napoli Shkolnik PLLC and joined in legal action seeking compensation from those who are responsible for causing and perpetuating the opioid addiction crisis (the “Action”); and

WHEREAS: The Action is against several defendants, including manufacturers of opioids, distributors of opioids and pharmacies; and

WHEREAS: Upon the recommendation of the County's Counsel several of these claims have already been resolved by agreement in advance of trial; and

WHEREAS: Counsel continues to negotiate with the various remaining Defendants and has now recommended resolving claims with several Defendants by entering into various settlement agreements and has further recommended releasing several Defendants from the case; and

WHEREAS: The final amounts to be received by Tioga County under any of these settlement agreements will vary depending on several factors including the number of Plaintiffs' ultimately agreeing to enter into each settlement and may include conditions which require the County to maintain confidentiality to the extent possible; and

WHEREAS: The Administrative Services Agreement also calls for the TCIDA to contribute toward the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the TCIDA; and

WHEREAS: The TCIDA will contribute toward the administrative services as stated in the agreement in the amount of \$5,000.00 to be paid quarterly for the term of January 1, 2025, through December 31, 2025; and

WHEREAS: The revenue line A6422.419890 – Contribution to Economic Development has previously been established and \$20,000 in anticipated revenue for this service is appropriated for 2025; therefore be it

RESOLVED: That upon the approval of the County Attorney, the Tioga County Legislature hereby authorizes and approves entering into the Administrative Services Agreement with the TCIDA and to accept the \$20,000.00 annually from the TCIDA for the Administrative Services performed via the TCEDP office for the period of January 1, 2025 through December 31, 2025.

Legislator Roberts moved for the withdrawal of the following resolution, seconded by Legislator Monell.

ROLL CALL VOTE TO WITHDRAW RESOLUTION

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION WITHDRAWN.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 450-24 *ENTER INTO CONTRACT WITH
EVOLUTION CONSULTING, LLC FOR
CDL DRUG AND ALCOHOL TESTING*

WHEREAS: Federal law requires random drug and alcohol testing of CDL drivers performing “safety sensitive” tasks; and

WHEREAS: Tioga County has coordinated with towns and villages within Tioga County to have testing done by an outside agency; and

WHEREAS: Tioga County has obtained three quotes for random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: The proposal from Evolution Consulting, LLC, to perform this service, is the most cost effective; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a one-year contract for 2025 with Evolution Consulting, LLC to perform this service at the rates indicated:

Complete DOT/Non-DOT Random Testing Program:

- Random Selection of Employees Calculated Quarterly (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests performed quarterly on-site
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- MIS Reports
- Collection Site Management
- Supervisor Training
- Laboratory and MRO Set-up with own Laboratory Account
- Online Access to Reporting 24 hours a day
- Assistance with Mediation Between MRO and DER

Additional Charges: Pre-employment, post-accident, reasonable suspicion, follow-up, or return to duty tests:

Normal Business Hours:

- 125/year administrative fee for random drug testing management
- 5 Panel Urine: (in office or on-site) \$55.00 per test
- Breath alcohol test (in office or on-site) \$32.00 per test
- Scheduled On-site fee \$0.70/mile to/from test site
- Employee No Show Fee \$40.00 after ½ hour wait
- Training (as required) \$150.00
- Drug and Alcohol Policy, if needed \$250.00
- *Additional charges for clinic pass through fees will apply.*

Emergency and After Hours:

- Post Accident: \$150.00 plus \$0.70/mile

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 451-24 *ENTER INTO CONTRACT WITH
CATAMOUNT CONSULTING FOR AUDIOGRAMS*

WHEREAS: Occupational Safety and Health Administration (OSHA) requires annual audiograms and hearing conservation training for county employees whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels measured on the A scale (slow response) or, equivalently, a dose of fifty percent; and

WHEREAS: Tioga County has obtained quotes for audiogram testing and hearing conservation trainings; and

WHEREAS: The proposal from Catamount Consulting, to perform this service, is the most cost effective and convenient option; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the County Attorney to enter into a one-year contract for 2025 with Catamount Consulting to perform this service at the rates indicated:

Cost of Business Terms:

Catamount Consulting will complete the Onsite Audiometric Testing at a cost of \$1900.00 total with a deposit or PO of \$950.00. Cost includes input of prior hearing test results and new employees, and all travel costs for the technician.

Scope of Services:

- Baseline & Annual Audiogram testing for up to 40 people. Any additional employees over the contracted 40 will be charged a fee to be determined.
- Testing will take place at the Department of Public Works, 477 Rt. 96, Owego, NY 13827.

- Group testing of 6 employees every 30 minutes with hearing video.
- Test administration by computerized technology with same day results and full record-keeping package within 10 business days.
- Test performed by CADHC Certified Technicians.
- All tests verified by an Audiologist.
- All testing is OSHA/MSHA Compliant.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 452-24 *APPROVE TECHNICAL ASSISTANCE
PROVIDED BY ED&P STAFF*

WHEREAS: A resolution is required by County policy to disclose matching cash and or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Economic Development and Planning staff provided technical assistance for the following:

<u>Organization</u>	<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Town of Berkshire	ARC READY Local Government Program	\$50,000.00	Master Park Program for George W. Smith Park

And

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided as noted above.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 454-24 *AMEND RESOLUTION NO. 176-94,
AS AMENDED BY RESOLUTION NO. 281-17,
AS AMENDED BY RESOLUTION NO. 276-20,
AS AMENDED BY RESOLUTION NO. 307-21;
MEDICARE REIMBURSEMENT*

WHEREAS: Resolution No. 281-17 amended Resolution No. 176-94 to set the Medicare Part B reimbursement rate for eligible retirees at \$115 per month for the period of February 1, 2018 through January 31, 2021 to be reviewed every three years; and

WHEREAS: Resolution No. 276-20 held the Medicare Part B reimbursement rate for eligible retirees at \$115 per month through January 31, 2022 to be reviewed in 2021; and

WHEREAS: Resolution No. 307-21 increased the Medicare Part B reimbursement rate for eligible retirees to \$148.50 per month for the period of February 1, 2022 through January 31, 2025 to be reviewed in 2024; and

WHEREAS: The 2025 Medicare Advantage Plan premium increased approximately 84% over the 2024 Medicare Advantage Plan premium; and

WHEREAS: Tioga County absorbs that increase for many retirees; therefore be it

RESOLVED: That the Medicare Part B reimbursement rate for eligible retirees will remain at \$148.50 per month for the period of February 1, 2025 through January 31, 2028; and be it further

RESOLVED: That the Legislature will review again in 2027; and be it further

RESOLVED: That this resolution shall amend Resolution No. 176-94 only as to the Medicare reimbursement portion of said Resolution.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 455-24 *ESTABLISH RETIREE HEALTH
INSURANCE CONTRIBUTIONS*

WHEREAS: Retirees who qualified to pay 0% of individual health insurance in accordance with Section IV. RETIREMENT of the Employee Handbook Policy "Orientation / Exit Interviews / Recruitment / Retirement" (formerly Policy # 3) are currently not contributing toward their retiree coverage; and

WHEREAS: Due to continually rising health insurance costs, property tax cap, and other factors it is no longer feasible to offer these retirees free health insurance; therefore be it

RESOLVED: That any retiree as of the date of this resolution who qualified for free individual coverage in accordance with Section IV. RETIREMENT of the Employee Handbook Policy "Orientation / Exit Interviews / Recruitment / Retirement" (formerly Policy # 3) shall contribute 3.25% of the monthly individual premium or \$20/month per individual policy, whichever is greater, effective January 1, 2025.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 456-24 APPOINT ASSISTANT PUBLIC DEFENDER
PUBLIC DEFENDER'S OFFICE

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Due to the announced resignation of Assistant Public Defender Brad Helmetsie as of January 1, 2025; and

WHEREAS: The Public Defender has recruited and identified a satisfactory candidate to fill the position; and

WHEREAS: Mr. Thomas A. Saitta has approximately 40 years of relevant legal experience including extensive experience in every stage of representation of indigent criminal defendants and is well qualified by reason of substantial experience and judgment to fill the position; therefore be it

RESOLVED: That the Public Defender is hereby authorized to appoint Thomas A. Saitta to the position of Assistant Public Defender, with a start date of January 13, 2025, at an annual Management/Confidential salary of \$42,819.00; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Mr. Saitta shall serve a probationary period of eight to fifty-two weeks; and be it further

RESOLVED: That this resolution will be null and void if Mr. Saitta fails to pass the County mandated criminal background check.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 457-24 APPOINTMENT OF REPUBLICAN
ELECTION COMMISSIONER

WHEREAS: The Chairman of the Republican Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That Kelly Johnson be and hereby is appointed Election Commissioner for the Republican Party from January 1, 2025 through December 31, 2026.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 458-24 AUTHORIZE POSITION RECLASSIFICATION
SHERIFF'S OFFICE

WHEREAS: Legislative approval is required for any position reclassification; and

WHEREAS: On June 26, 2024, the Personnel Department received a Position Description Questionnaire from Shannon Schweiger, Office Specialist II who works within the Sheriff's Office, Records Division; and

WHEREAS: A desk audit resulted and involved the review of work tasks performed by this employee within the Records Division; and

WHEREAS: The Personnel Officer has determined that the appropriate classification reflective of the work performed and responsibility assigned to Ms. Schweiger, within the Records Division, is consistent with Office Specialist III; therefore be it

RESOLVED: That Shannon Schweiger's position, Office Specialist II (CSEA SG IV, \$31,131), shall be reclassified to Office Specialist III (CSEA SG VII, \$40,212), appointed from an appropriate civil service eligible list, and receive an annual salary adjustment of \$9,081 effective retroactive to June 26, 2024.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 459-24 AUTHORITY 2025 SALARIES/WAGES
(BOARD OF ELECTIONS)

WHEREAS: The salaries for employees of the Board of Elections are set by resolution; and

WHEREAS: Management Confidential staff and hourly employees have been authorized a 3.5% salary increase for 2025; therefore be it

RESOLVED: That the 2025 rates for the Board of Elections staff shall be as follows:

	<u>2025 pay:</u>
Commissioners	\$ 61,403.00/yr.
Deputy Commissioners	\$ 46,606.00/yr.
Voting Machine Technicians	\$ 23.62/hr.
Election Clerk	\$ 19.22/hr.
Election Workers	\$ 15.53/hr.
Election Inspectors (Seasonal)	\$ 15.50/hr.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 460-24 2025 STAFF CHANGES
DISTRICT ATTORNEY'S OFFICE

WHEREAS: The District Attorney's Office requested staffing changes as part of the 2025 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2025:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Vacant	Confidential Assistant PT (M/C)	Abolish	-\$21,726
NEW		4 th Assistant District Attorney (M/C)	+\$88,825
NEW		District Attorney Investigator PT (M/C)	+\$49,140

And be it further

RESOLVED: That the District Attorney's 2025 full-time headcount shall increase from 5 to 6 and the part-time headcount is unchanged at 2.

RESOLVED: That the Economic Development & Planning Department's headcount is unchanged and includes 9 FT and 1 PT positions.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 462-24 2025 STAFF CHANGES
LEGISLATIVE OFFICE

WHEREAS: The Legislative Office requested a staffing change as part of the 2025 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2025:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Vacant	Budget Officer PT		Unfunded

And be it further

RESOLVED: That the Legislative headcount is unchanged and includes 4 FT and 9 PT positions.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 463-24 2025 STAFF CHANGES
SOCIAL SERVICES

WHEREAS: The Department of Social Services requested a staffing change as part of the 2025 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2025:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
NEW		Senior Caseworker (CSEA Grade XI)	+\$48,941

And be it further

RESOLVED: That the Department of Social Services authorized 2025 full-time headcount is increased from 90 to 91.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 464-24 *AUTHORIZE ONE-TIME STIPEND
(LEGISLATIVE OFFICE)*

WHEREAS: The appointed Administrative Coroner has incurred a health setback that has temporarily prohibited him from being able to fully complete all the tasks assigned to the Administrative Coroner in 2024; and

WHEREAS: The Tioga County Legislative Clerk has, in the interim, stepped up to help complete and aid with those tasks including management of the budget, paying invoices, assisting with contracts, and other various office functions on behalf of the Tioga County Coroner's Office; and

WHEREAS: In completing these tasks, The Tioga County Legislative Clerk completed these additional duties that required her to work additional days/hours; and

WHEREAS: The Tioga County Legislature would like to recognize the efforts of the Legislative Clerk and the completion of these additional duties in the form of a one-time stipend; therefore be it

RESOLVED: That Cathy Haskell, Tioga County Legislative Clerk, be given a one-time stipend of \$5,000.00, to be paid in payroll #26, as set forth in the 2024 County budget.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 465-24 *RESOLUTION TO DECLARE WORK DAY STATUS
FOR ELECTED AND APPOINTED OFFICIALS*

WHEREAS: Resolution Nos. 206-09, 127-16, 230-17, 30-18, 59-18, 308-19, 160-19, 229-22, and 410-24 established a standard work day for elected and appointed officials for New York State and Local Employees' Retirement System reporting purposes; therefore be it

RESOLVED: That the County of Tioga, Location Code 10049, hereby establishes the following as the standard work day for the titles below, for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

Appointed Officials

Five day work week, seven hour day:

4th Assistant District Attorney

Assistant Deputy County Clerk (DMV)

County Planning Director Trainee

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 466-24 *AUTHORIZING A (6) SIX-MONTH EXTENSION
OF THE TIOGA COUNTY REMOTE WORK POLICY-
PILOT PROGRAM*

WHEREAS: The Tioga County Legislature adopted Resolution No. 265-21 on November 9, 2021, establishing a new policy entitled Tioga County Remote Work supporting the use of remote worksites for a portion of the standard workweek and allowing Department Heads to implement Remote Work Arrangements for eligible Management/Confidential employees, where appropriate; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 47-23 on January 10, 2023, revising the Tioga County Remote Work Policy-Pilot Program in its entirety to include eligible CSEA staff as deemed appropriate by their Department Head; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 94-23 on February 14, 2023, revising the Employee Handbook: Section IV. Personnel Rules; Subsection T. entitled Tioga County Remote Work Policy-Pilot Program, Subsection IV. Policy C. Hardware, Software, and Supplies; and

WHEREAS: The Tioga County Legislature adopted Resolution No. 534-23 on December 12, 2023, authorizing a (1) one-year extension of the Tioga County Remote Work Policy-Pilot Program thereby making the current policy in its entirety effective January 1, 2023 – December 31, 2024; and

WHEREAS: The Tioga County Legislature anticipates the successful adoption of a Resolution on December 10th, 2024, revising the Employee Handbook: Section IV. Personnel Rules; Subsection S. entitled Tioga County Remote Work Policy-Pilot Program to allow County employed attorneys to work (5) five remote workdays; and

WHEREAS: The Tioga County Department Heads have expressed an interest in the Legislature considering continuation of this program based on successful results and aiding in recruitment and retention efforts; therefore be it

RESOLVED: That the Legislature is authorizing a (6) six-month extension of the Tioga County Remote Work Policy-Pilot Program with a new expiration date of June 30th, 2025; and be it further

RESOLVED: That the Remote Work Policy-Pilot Program remains unchanged.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 467-24 AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES;
SUBSECTION S. TIOGA COUNTY REMOTE
WORK POLICY-PILOT PROGRAM

WHEREAS: Tioga County's Employee Handbook Section IV. Personnel Rules; Subsection s. Tioga County Remote Work Policy-Pilot Program needs to be amended in its entirety to reflect the updated policy standards set forth by the Tioga County Legislature in regard to changing the allowable amount of time County employed Attorneys may work remotely from (2) two days to (5) five days; therefore be it

RESOLVED: That the Tioga County Remote Work Policy-Pilot Program be amended in its entirety and replaced as follows:

SECTION IV. – PERSONNEL RULES
s. Tioga County Remote Work Policy

Tioga County Remote Work Policy-Pilot Program

I. PURPOSE

To establish a policy and procedures to allow, where appropriate, the use of remote worksites to attract and retain a diverse and talented work force and improve productivity among employees. Tioga County supports the use of remote worksites for a portion of the standard workweek and allows Department Heads to implement Remote Work Arrangements where appropriate, for eligible employees.

This policy does not apply in situations where an employee is seeking a reasonable accommodation in relation to a disability or injury. Such requests should be considered in light of the applicable policy in relation to the request.

II. ORGANIZATIONS AFFECTED

Applicable to all Tioga County departments where a remote worksite is feasible and appropriate, as determined by the Department Head.

III. DEFINITIONS

- A. "Centrally Located Worksite" means the Tioga County worksite where the employee would be required to work if they were not remote working.
- B. "Remote Work Agreement" means a Remote Work Arrangement has been agreed to by the Department Head and employee for the employee to work one or two days each work week from a non-County location instead of commuting to the employee's centrally located worksite.
- C. "Remote Work Location" means the non-County site where the employee intends to perform County work.
- D. "Voluntary" means employees choose an alternative working arrangement.

IV. POLICY

A. General Remote Work Standards and Requirements

1. This Remote Work Policy shall supersede all prior and/or existing Telecommute guidelines.
2. No more than the equivalent of (2) two days per week may be worked from a remote worksite, with the exception of Attorneys. For employees with a 35-hour workweek, (2) two days shall mean (14) fourteen hours. For those employees with a 40-hour workweek, (2) two days shall mean (16) sixteen hours.
3. Attorneys employed by the County, with Department Head approval as well as Legislative consideration and approval, may be eligible to work remotely for up to (5) five days per week.

4. Remote Work Arrangements may be implemented where appropriate and approved by the Department Head for eligible employees. Remote Work Arrangements may be made in recognition of the positive personal and organizational impacts of such arrangements, including increased workplace flexibility and increased productivity.
5. While Remote Work Arrangements are available to both Management/Confidential and CSEA members, they are not appropriate for all employees and roles. No employee is entitled to, nor guaranteed the opportunity to have a Remote Work Arrangement. Said schedules are not a universal employee benefit; employees do not have the "right" to Remote Work Arrangements, nor do employees have a right to an indefinite remote work arrangement. Offering the opportunity for a Remote Work Arrangement is at the discretion of the employee's Department Head. All Remote Work Arrangements must meet the criteria in this policy and may be terminated by the Department Head. The Department Head may terminate a Remote Work Arrangement at any time should they determine the arrangement is not being adhered to or is no longer in the best interest of their department.
6. An employee wishing to request a Remote Work Arrangement shall submit a written request to his/her Department Head. Again, employees seeking a reasonable accommodation in relation to a disability or religion should submit the appropriate forms under the applicable policy. A determination on a Remote Work Arrangement must be issued in writing by the Department Head. Any changes, other than termination of the arrangement, to the written arrangement must also be documented in writing and the Department Head's determination issued in writing.
7. Department Heads should routinely evaluate the effectiveness of an employee's alternative work agreement, minimally every three months. Remote Work Agreements will be reviewed each December for renewal the following January. At the expiration of a Remote Work Agreement, the employee may request renewal of the arrangement. ***The Remote Work Agreement can be found on the County's Intranet under "Employee Handbook – EH Forms"***. The request to renew the arrangement must be made in writing.
8. The Department Head will evaluate and adjust Remote Work Arrangements as needed to meet the organizational and workload

- needs. Adjustments may be made at any time during the agreement, subject to Department Head approval.
9. Should a conflict arise between two or more employees concerning a Remote Work Arrangement, the Department Head shall have final authority to resolve the matter.
 10. The business of the County will take precedence over remote workdays. Employees may, at the discretion of their immediate supervisor or Department Head, be called to work with 4 hours' notice to their centrally located worksite on their remote workday during their regular work hours to meet workload or operational requirements. Employees will be expected to complete their remote work during their approved work schedule. Approved schedules and any deviations of these for remote work must be approved in advance by the Department Head.
 11. Department Head determinations regarding Remote Work Arrangements will not be "grievable" as per the Memorandum of Understanding with the CSEA (*note: MOU to be developed*).
 12. When an employee engaged in a Remote Work Agreement comes into their centrally located worksite, the time traveling from the employee's home to the centrally located worksite will be treated as regular commuting time and the employee's travel time will not be counted as hours worked, nor will the employee's mileage be reimbursed. **On-Call Employees are exempt from this (A. #10) and are to comply with their department procedures.**
 13. The essential duties, obligations, and responsibilities of an employee who remote works are the same as employees at the centrally located worksite. Employees must be available to communicate with those whom he/she normally conducts business (e.g., supervisor, clients/the public, co-workers, etc.) by phone and email while remote working. Employees must respond to inquiries in the same fashion and within the same timeframes, as if she/he were in the office. In-person meetings must not be delayed because of remote work scheduling. Furthermore, employees are not allowed to meet with County clients at their remote work locations unless expressly authorized to do so by their Department Head.
 14. A set procedure and schedule for regular communication between a remote working employee, staff, and clients must be identified in the Remote Work Agreement. For all employees, the Remote Work

Agreement must indicate the hours that the remote working employee will be available to be reached by staff and clients. The Department Head may also outline specific job assignments and expectations of the remote working employee. Work schedules and variations are subject to Department Head approval.

15. Work hours, overtime compensation, and annual leave schedule must conform to state and federal law and the County policies. Requests to work overtime or use leave time must first be approved by the Department Head/Supervisor in the same manner as when working in the office. If the employee is sick and unable to work, he/she must follow the same policy/procedure as employees at the centrally located worksite and notify his/her supervisor in accordance with county policy/collective bargaining agreement. Employees are to adhere to the lunch break language found in their collective bargaining agreement, and must take a lunch break, as outlined therein.
16. Employees must record and report all their time accurately. Department Heads must either develop their own preferred mechanism for accountability of remote work (daily or weekly) or the employee will complete the County's *Tele-work Weekly Log*. ***This form can be located on the County's Intranet under "Employee Handbook – EH Forms"***.
17. Employees who remote work are expected to be working during their Remote Work schedule, without the availability of a direct supervisor during non-standard hours of operation. Personal, vacation, and any other leave time scheduled during a Remote Work employee's scheduled workday must be arranged in the same manner as employees at the centrally located worksite. Telework is not an alternative to utilization of leave time.
18. The Remote Work employee's salary, retirement, and benefits are the same as if the employee were working at the centrally located worksite.
19. While working remotely, responsibilities and tasks need to be completed with the same importance and attention as they would if they were tended to in the centrally located worksite. Non-work-related interruptions must be kept to a minimum. Remote working shall not be used as a substitute for dependent child or elder care. Employees who remote work are expected to make dependent or childcare arrangements during the period they will be working. Remote working

is not intended to enable employees to conduct personal or non-County business while on County time.

20. Employees who remote work may be covered by workers' compensation for job-related injuries occurring during their defined work period. Any claim received will be reviewed on its merit and in accordance with the Workers' Compensation Law. The employee is responsible for maintaining a safe and ergonomic remote working environment, including the work area, bathroom, and other areas that may be necessary for use during the Remote Work Arrangement. Workers' compensation will not apply to non-job-related injuries that occur at the remote work site. The employee remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. Tioga County will not be responsible for injuries to third parties or members of the employee's family that occur on the employee's premises and employee will hold the County harmless for injury to others at the remote worksite.
21. In the event of a job-related incident, accident or injury during remote working hours, the employee shall report the incident to their supervisor as soon as possible but no longer than 24 hours after and follow established procedures to report and investigate workplace incidents, accidents, or injuries.
22. The employee must allow inspections of the employee's work area(s), home office, or other relevant location to be conducted by the County or its agent if a job-related incident, accident, or injury has occurred.
23. Remote working employees shall not hold in-person business meetings with internal or external clients, customers, or colleagues at their remote worksite.
24. Employees shall not conduct any unauthorized external (non-County) work during their remote work schedule.
25. The employee shall participate in any County-sponsored remote working and/or technology training as requested by the employee's supervisor or Department Head.
26. The employee shall participate as requested in any County evaluation of the remote working arrangement.
27. Violations of this policy may result in rescission of a telework agreement, as well as potential disciplinary action.

B. Remote Work Arrangement Eligibility:

1. Characteristics of the employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and ability to work well alone. The employee communicates effectively with supervisors, co-workers, support staff and clients. The employee operates computer or other equipment independently, to the degree that will be required to work from their home or during non-supervised periods. The employee must be performing currently at an overall satisfactory level or above in their position.
2. An employee's work must be of a nature that face-to-face interaction with internal or external customers or project workgroups is minimal and/or the employee's tasks can be performed successfully away from the centrally located worksite.
3. The need for specialized material or equipment to remote work should be minimal. Employees interested in Remote Work must already have a safe and ergonomic home office environment or work area and the primary materials and equipment needed at their home to remote work.
4. Employees must have completed a reasonable amount of employment to be assessed by Department Head to be a successful candidate for a Remote Work Arrangement.
5. Each Department Head will establish criteria for worker and role eligibility for potential Remote Work Agreement.
6. Employees must have appropriate dependent care arrangements that allow the employee to work without distraction and mitigate undue interruption, which could impact productivity.
7. Employees in a training capacity or providing hands-on service will not normally be eligible to participate in a Remote Work Arrangement program.
8. Employees with attendance or tardiness issues will not be eligible.
9. Employees who have been counseled or disciplined within the two years immediately preceding the request for Remote Work Arrangement will not be eligible.
10. Meeting the above eligibility criteria does not guarantee that an employee will be approved for a Remote Work Arrangement. Operational and organizational needs may preclude an employee's Request from being approved.

C. Hardware, Software and Supplies:

1. The County will provide a computer, laptop or tablet approved by Information Technology. The Employee will be responsible for workspace, networking and/or internet capabilities at the remote work location and shall not be reimbursed by the County for these or related expenses. Special circumstances may arise and will be reviewed by the Department Head. (*Arrangements made prior to effective date of this policy may remain in effect with approval from Department Head). Internet access is expected to be reliable and secure, and meet the bandwidth needed for the job.
2. The need for specialized material or equipment in order to remote work should be minimal. The County shall provide equipment (hardware and/or software) and services (such as technical support) if it is approved in advance by the employee's Department Head and the Chief Information Officer.
3. Department expenses incurred in the implementation and execution of remote work arrangements require the approval of the Department Head. If County equipment is provided to the employee, the employee is responsible for seeing that the equipment is properly used in compliance with County IT policy and returned in working order to the County upon conclusion of the Remote Work Arrangement.
4. Standard office supplies (such as paper and pens) will be provided by the County and should be obtained by the employee at the centrally located worksite. Out-of-pocket expenses for supplies normally available at the centrally located worksite will not be reimbursed. Office furniture will not be provided to employees who remote work.
5. Employees who remote work are subject to the same internal County policies regarding the use of County-provided equipment (hardware and/or software) and services as that of employees at the centrally located worksite.
6. Employees who remote work shall not allow anyone, except County employees, to use or access County-provided equipment (including hardware, software, chargers, storage devices) and services.
7. Employees are prohibited from accessing the County network using a public access computer.
8. **HARDWARE:** New or existing computer equipment shall be provided to staff by the County if approved in advance by the employee's Department Head and the Chief Information Officer. All County owned

- hardware equipment and devices must be returned to the County as soon as the remote working agreement has ended, or when the equipment is no longer needed to perform related work activities.
9. The County will provide routine maintenance and repairs for County owned computers and equipment. The County will try and perform maintenance remotely, however, to complete necessary maintenance it may be required that the staff member bring their device back to the worksite or internal network. Staff can request technical support for County computer devices by sending an email to the Tioga County Helpdesk. County IT staff will not visit the employee's remote work location to provide service onsite.
 10. **SOFTWARE:** Employees must conform to the County's software standards. Department Heads will consult with Information Technology staff to ensure that the software needed conforms to the County's software policies.
 11. Remote access to the County's network may be provided to the employee at the discretion of the employee's Department Head and with the approval of the Chief Information Officer or designee. If the County's remote access system includes internet access or other dial-in services, the employee may only use the County provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who remote work are subject to the same internal County policies regarding the use of County provided equipment, software and services as that of employees at the centrally located worksite.
 12. The County may purchase software for installation on County-provided equipment if approved in advance by the employee's Department Head and the Chief Information Officer or designee.

D. Confidential Information:

1. The employee will maintain the confidentiality of County and State information and documents, prevent unauthorized access to any County system or information, and dispose of work-related documents in a manner that will not jeopardize the interests of the County or its clients/customers.
2. The employee shall continue to follow all Tioga County policies that address confidentiality and security, as found in the Employee Handbook.

3. Employees must maintain documents in their possession in a safe and secure manner while they are outside of their normal workplace.

V. PROCEDURE

- A. Employee submits completed Request for Remote Work Arrangement form to Department Head. If Department Head is requesting remote work, completed form to be submitted by Department Head to Chair of the County Legislature. **The Request for Remote Work Arrangement can be found on the County's Intranet under "Employee Handbook – EH Forms".**
- B. After review by Information Technology for technical needs, Department Head (or Chair of Legislature if Department Head requesting) issues written determination within 10 working days of receipt of Request.
- C. If approved, employee and Department Head (or Chair of Legislature if Department Head requesting) or designee complete Remote Work Agreement form.
- D. Any requests to revise the Agreement are to be submitted by the employee to the Department Head (or Chair of Legislature if Department Head requesting) in writing and answered in writing by the Department Head (or Chair of Legislature if Department Head requesting).
- E. Department Heads are to file with the Chair of the Legislature and Chair of their Legislative Committee each newly approved Remote Work Agreement, changes to Remote Work Agreements, and the conclusion thereof.

VI. FORMS

Located on the **County's Intranet "Employee Handbook-EH Forms"**, are the following:

- A. Remote Work Agreement
- B. Request for Remote Work Arrangement
- C. Employee Assessment for Remote Work Suitability
- D. Tele-Work Weekly Log

VII. CONTINUOUS REVIEW

The County reserves all rights to continuously review this policy, and any telework agreement and rescind either of them upon a review and determination that the policy or an agreement is no longer in the best interest of the County. No employee should have any belief or expectation that the policy or an agreement will continue indefinitely. The County will continuously review this policy and decide as to its effectiveness, need, and any other rationale behind it or the

procedures within it and it may, within its sole discretion, rescind or alter the policy or procedures and any associated documentation.

Furthermore, the County retains all rights in determining the work assignments and location of its employees. As teleworking is an assignment to work from a different work location, that may be changed by the County at any time. As this policy is being implemented by the County, it is not incorporated into any collective bargaining agreement or grievance procedure included within them.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Monell for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: ITCS COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 468-24 *AMEND EMPLOYEE HANDBOOK; SECTION VIII:
COMPREHENSIVE INFORMATION SECURITY POLICY*

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have determined that aligning with the National Institute of Standards and Technology standards is appropriate for the Information Technology infrastructure within Tioga County, New York; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS have reviewed the County's Comprehensive Information Security Policy and made recommendations to remove sections IV-D. and VI-A-3 and add new Sections VI-Q-S; therefore be it

RESOLVED: That the Comprehensive Information Security Policy, Sections IV-D and VI-A-3 be removed and new Section VI-Q-S be added as follows:

VI. AUDIENCE – ITCS DEPARTMENT

Q. Configuration Management

II. Purpose

To ensure that Information Technology (IT) resources are inventoried and configured in compliance with IT security policies, standards, and procedures.

III. Reference

National Institute of Standards and Technology (NIST) Special Publications (SP):
NIST SP 800-53a – Configuration Management (CM)

IV. Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets.

1. Baseline Configuration

ITCS Department shall:

- a. Develop, document, and maintain under configuration control, a current baseline configuration of information systems.
- b. Review and update the baseline configuration of the information system annually.
- c. Review and update the baseline configuration of the information system when required as an integral part of information system component installations and upgrades.
- d. Retain one previous version of baseline configurations of information systems to support rollback.

2. Configuration Change Control

ITCS Department shall:

- a. Determine the types of changes to the information system that are configuration controlled.

- b. Review proposed configuration-controlled changes to the information system and approve or disapprove such changes with explicit consideration for security impact analyses.
 - c. Document configuration change decisions associated with the information system.
 - d. Implement approved configuration-controlled changes to the information system.
 - e. Retain records of configuration-controlled changes to the information system for one year.
 - f. Audit and review activities associated with configuration-controlled changes to the information system.
 - g. Coordinate and provide oversight for configuration control activities through a change approval board (CAB) that convenes weekly.
 - h. Test, validate, and document changes to the information system before implementing the changes on the operational system.
3. Security Impact Analysis

ITCS Department shall:

- a. Analyze changes to the information system to determine potential security impacts prior to change implementation.

4. Access Restrictions for Change

ITCS Department shall:

- a. Define, document, approve, and enforce physical and logical access restrictions associated with changes to the information system.

5. Configuration Settings

ITCS Department shall:

- a. Establish and document configuration settings for information technology products employed within the information system that reflect the most restrictive mode consistent with operational requirements.
- b. Implement the configuration settings.
- c. Identify, document, and approve any deviations from established configuration settings.
- d. Monitor and control changes to the configuration settings in accordance with policies and procedures.

6. Least Functionality

ITCS Department shall:

- a. Configure the information system to provide only essential capabilities.
- b. Review the information system quarterly to identify unnecessary and/or non-secure functions, ports, protocols, and services.
- c. Disable functions, ports, protocols, and services within the information system deemed to be unnecessary and/or non-secure.
- d. Prevent program execution in accordance with policies regarding software program usage and restrictions and rules authorizing the terms and conditions of software program usage.
- e. Identify software programs not authorized to execute on information systems.
- f. Employ an allow-all, deny-by-exception policy to prohibit the execution of unauthorized software programs on the information system.
- g. Review and update the list of unauthorized software programs annually.

7. Information System Component Inventory

ITCS Department shall:

- a. Develop and document an inventory of information system components that:
 - i. Reflects the current information system accurately.
 - ii. Includes all components within the authorization boundary of the information system.
 - iii. Is at the level of granularity deemed necessary for tracking and reporting.
 - iv. Includes information deemed necessary to achieve effective information system component accountability.
- b. Review and update the information system component inventory annually.
- c. Update the inventory of information system components as an integral part of component installations, removals, and information system updates.
- d. Employ automated mechanisms quarterly to detect the presence of unauthorized hardware, software, and firmware components within the information system.
- e. Take the following actions when unauthorized components are detected:
 - i. Disable network access by such components, or
 - ii. Isolate the components and notify the Chief Information Officer and system owner.
- f. Verify that all components within the authorization boundary of the information system are not duplicated in other information system component inventories.

8. Configuration Management Plan

ITCS shall develop, document, and implement a configuration management plan for the information system that:

- a. Addresses roles, responsibilities, and configuration management processes and procedures.
- b. Establishes a process for identifying configuration items throughout the system development life cycle and for managing the configuration of the configuration items.
- c. Defines the configuration items for the information system and places the configuration items under configuration management.
- d. Protects the configuration management plan from unauthorized disclosure and modification.

9. Software Usage Restrictions

ITCS Department shall:

- a. Use software and associated documentation in accordance with contract agreements and copyright laws.
- b. Track the use of software and associated documentation protected by quantity licenses to control copying and distribution.
- c. Control and document the use of peer-to-peer file sharing technology to ensure that this capability is not sued for the unauthorized distribution, display, performance, or reproduction of copyrighted work.

10. User Installed Software

ITCS Department shall:

- a. Establish policies governing the installation of software by users.

- b. Enforce software installation policies through controlling privileged access and blocking the execution of files using policy applied by directory service and/or application whitelisting.
- c. Monitor policy compliance quarterly.

V. Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to IT resources, and other actions as well as both civil and criminal penalties.

VI. Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken, initiatives, actions and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

R. Contingency Planning

II. Purpose

To ensure that Information Technology (IT) resources are available during times of disruption of services.

III. Reference

National Institute of Standards and Technology (NIST) Special Publications (SP): NIST SP 800-53a – Contingency Planning (CP), NIST SP 800-16, NIST SP 800-34, NIST SP 800-50, NIST 800-84; NIST Federal Information Processing Standards (FIPS) 199

IV. Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets.

1. Contingency Plan

ITCS Department shall:

- a. Develop a contingency plan for the information system, in direct guidance and association with the information system owner, that:
 - i. Identifies essential missions and business functions and associated contingency requirements.
 - ii. Provides recovery objectives, restoration priorities, and metrics.
 - iii. Addresses contingency roles, responsibilities, assigned individuals with contact information.
 - iv. Addresses maintaining essential missions and business functions despite an information system disruption, compromise, or failure.
 - v. Addresses eventual, full information system restoration without deterioration of the security safeguards originally planned and implemented.
 - vi. Is reviewed and approved by the Chief Information Officer, and information system's owner management on at least an annual basis.
- b. Distribute copies of contingency plans to key contingency personnel, identified by name and/or by business role.
- c. Coordinate contingency planning activities with incident handling activities.
- d. Update the contingency plan to address changes to the business owner's mission, information system, or environment of operation and problems encountered during contingency plan implementation, execution, or testing.
- e. Communicate contingency plan changes to key contingency personnel identified by name and/or by business role.
- f. Protect the contingency plan from unauthorized disclosure and modification.

2. Contingency Training

ITCS Department shall:

- a. Provide contingency training to information system users consistent with assigned roles and responsibilities.
- b. Ensure designated personnel receive contingency training at least biannually of assuming a contingency role or responsibility, and when required by information system changes.

3. Contingency Plan Testing

ITCS, along with information system owners, shall:

- a. Test the contingency plan for the information system, as determined by the mission critical nature of the business system(s) no less than annually.
- b. Use strategic and tactical planning during testing to simulate a production information system to determine the effectiveness of the plan and the organizational readiness to execute the plan.
- c. Review the contingency plan test results.
- d. Initiate corrective actions, as needed.
- e. Coordinate contingency plan testing with organizational elements responsible for related plans; plans related to contingency plans for information systems include, for example, Business Continuity Plans, Disaster Recovery Plans, Continuity of Operations Plans, Crisis Communications Plans, Critical Infrastructure Plans, Cyber Incident Response Plans, and Occupant Emergency Plans.

4. Alternate Storage Site

ITCS, in direct guidance and association with the information system owner, shall:

- a. Establish an alternate storage site including necessary agreements to permit the storage and retrieval of information system backup information.

- b. Ensure that the alternate storage site provides information security safeguards equivalent to that of the primary site.
- c. Identify an alternate storage site that is separated from the primary storage site to reduce susceptibility to the same threats.
- d. Identify and document potential accessibility problems to the alternate storage site in the event of an area-wide disruption or disaster and outline explicit mitigation actions.

5. Alternate Processing Site

ITCS, in direct guidance and association with the information system owner, shall:

- a. Establish an alternate processing site including necessary agreements to permit the transfer and resumption of the information system operations for essential missions/business functions within the time period consistent with recovery time and recovery point objectives when the primary processing capabilities are unavailable.
- b. Ensure that equipment and supplies required to transfer and resume operations are available at the alternate processing site or contracts are in place to support delivery to the site within the agreed upon time period for transfer/resumption.
- c. Ensure that the alternate processing site provides information security safeguards equivalent to that of the primary site.
- d. Identify an alternate processing site that is separated from the primary processing site to reduce susceptibility to the same threats.
- e. Identify potential accessibility problems to the alternate processing site in the event of an area-wide disruption or disaster and outline explicit mitigation actions.
- f. Develop alternate processing site agreements that contain priority-of-service provisions in accordance with business objectives and availability requirements.

6. Telecommunications Services

ITCS Department shall:

- a. Establish alternate telecommunications services including necessary agreements to permit the resumption of information system operations for essential missions and business functions within agreed upon recovery timeframes when the primary telecommunications capabilities are unavailable at either the primary or alternate processing or storage sites.
- b. Develop primary and alternate telecommunications service agreements that contain priority-of-service provisions in accordance with agreed upon recovery objectives and availability requirements.
- c. Request Telecommunications Service Priority for all telecommunications services used for national security emergency preparedness in the event that the primary and/or alternate telecommunications services are provided by a common carrier.

7. Information System Backup

ITCS, in direct guidance and association with the system owner, shall:

- a. Conduct backups of user-level information contained in the information system defined by frequency consistent with recovery time and recovery point objectives.
- b. Conduct backups of system-level information contained in the information system defined by frequency consistent with recovery time and recovery point objectives.
- c. Conduct backups of information system documentation including security-related documentation defined by frequency consistent with recovery time and recovery point objectives.
- d. Protect the confidentiality, integrity, and availability of backup information at storage locations.
- e. Test backup information to verify media reliability and information integrity.

8. Information System Recovery and Reconstitution

ITCS, in direct guidance and association with the information system owner, shall:

- a. Provide for the recovery and reconstitution of the information system to a known state after a disruption, compromise, or failure.
- b. Provide that the information system implements transaction recovery for systems that are transaction-based.

V. Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to IT resources, and other actions as well as both civil and criminal penalties.

VI. Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken, initiatives, actions and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

S. Identification and Authentication

II. Purpose

To ensure that only properly identified and authenticated users and devices are granted access to Information Technology (IT) resources in compliance with IT security policies, standards, and procedures.

III. Reference

National Institute of Standards and Technology (NIST) Special Publications (SP): NIST SP 800-53a – Identification and Authentication (IA), NIST SP 800-12, NIST SP 800-63, NIST SP 800-73, NIST 800-76, NIST SP 800-76, NIST SP 800-78, NIST SP 800-100, NIST SP 800-116; Homeland Security Presidential Directive (HSPD) 12 Policy for a

Common Identification Standard for Federal Employees and Contractors; NIST Federal Information Processing Standards (FIPS): FIPS 201, FIPS 140

IV. Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets.

1. Identification and Authentication

ITCS Department shall:

- a. Ensure that information systems uniquely identify and authenticate users or processes acting on behalf of Tioga County users.
- b. Ensure that information systems implement multifactor authentication for network access to privileged accounts.
- c. Ensure that information systems implement multifactor authentication for network access to non-privileged accounts.
- d. Ensure that information systems implement multifactor authentication for local access to privileged accounts.
- e. Ensure that information systems implement replay-resistant authentication mechanisms for network access to privileged accounts.
- f. Ensure that information systems implement multifactor authentication for remote access to privileged and non-privileged accounts such that one of the factors is provided by a device separate from the system gaining access.

2. Device Identification and Authentication

ITCS Department shall:

- a. Ensure that information systems uniquely identify and authenticate all devices before establishing a network connection.

3. Identifier Management

ITCS Department, through department information systems owners, shall:

- a. Ensure that Tioga County, NY manages information system identifiers by receiving authorization from the Chief Information Officer to assign an individual, group, role, or device identifier.
- b. Select an identifier that identifies an individual, group, role, or device.
- c. Assign the identifier to the intended individual, group, role, or device.
- d. Prevent reuse of identifiers for 90 days.
- e. Disable the identifier after 60 days of inactivity.

4. Authenticator Management

ITCS Department shall:

- a. Ensure that information systems, for password-based authentication, enforce minimum password complexity that must not contain the user's entire Account Name value, entire Full Name value or any Personally Identifiable Information (PII).
- b. Ensure passwords must contain characters from three of the following five categories:
 - i. Uppercase characters of European languages (A through Z, with diacritic marks, Greek and Cyrillic characters);
 - ii. Lowercase characters of European languages (A through Z, with diacritic marks, Greek and Cyrillic characters);
 - iii. Base 10 digits (0 through 9);
 - iv. Non-alphanumeric characters ~!@#\$%^&_-+=|\(){}[]:;'<>.,?/; and
 - v. Any Unicode character that is categorized as an alphanumeric character but is not uppercase or lowercase. This includes Unicode characters from Asian languages.
- c. Require passwords to have a minimum length of 8 characters.

- d. Enforce at least one changed character when new passwords are created.
- e. Store and transmit only cryptographically protected passwords.
- f. Enforce password minimum and maximum lifetime restrictions of one day and 120 days respectively.
- g. Prohibit password reuse for 12 generations.
- h. Allow the use of a temporary password for system logons with an immediate change to a permanent password.
- i. Require that the registration process to receive authenticators be conducted in person or by a trusted third party with authorization by the Chief Information Officer.

V. Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to IT resources, and other actions as well as both civil and criminal penalties.

VI. Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken, initiatives, actions and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Mullen made a motion to bring forth two (2) late-file resolutions for Legislature consideration, seconded by Legislator Roberts. Motion carried.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 469-24 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF BARTON TO
MUHAMMAD ZAMAN*

WHEREAS: Property located in the Village of Waverly assessed to Barbara Bowman, identified as Tax Map number 166.15-3-54, parcel number 1075 which was acquired for 2022 & 2023 delinquent taxes; and

WHEREAS: Franklin A. Robbins & Sue E. Robbins were the closing bidder with the winning bid of \$18,500 and placed a \$4,550 deposit paid at the Foreclosure Auction held on October 21, 2024, and has defaulted by not appearing at closing with forfeiture of the \$4,550; and

WHEREAS: The County Treasurer held a public auction, conducted on December 5, 2024, conducted by Manasse Auctioneers. Muhammad Zaman won the bid to purchase the property for \$24,000, "as is", thereby placing the property back on the tax rolls; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$24,000 and recording costs, a Quit Claim Deed conveying the property assessed to Barbara Bowman located in the Village of Waverly identified on the Village of Waverly Tax Map as number 166.15-3-54, parcel number 1075, to Muhammad Zaman and/or assigns.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. 470-24 *APPOINT DA INVESTIGATOR (PT)*
DISTRICT ATTORNEY

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Due to the increase caseload of the District Attorney's Office a second part-time District Attorney Investigator (PT) position was approved by the Legislature; and

WHEREAS: The District Attorney has recruited and identified a qualified candidate whom he would like to hire for said position; and

WHEREAS: The District Attorney has determined Richard Prunier to be a qualified candidate; and

WHEREAS: The additional position of District Attorney Investigator is pending jurisdictional classification for Exempt Classification, therefore the position is competitive until approved by the New York State Civil Service Commissioner; therefore be it

RESOLVED: That the District Attorney is hereby authorized to provisionally appoint Richard Prunier to the title of DA Investigator (PT) effective January 13, 2025, at an annual Management/Confidential salary of \$35/hour for a period of up to 27 hours per week; and be it further

RESOLVED: That this resolution will be null and void if Richard Prunier fails to pass the County mandated background check.

ROLL CALL VOTE

Yes – Legislators Ciotoli, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Brown.

No – None.

Absent – Legislator Flesher.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:38 p.m.

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